



Environmental Report Review

Ark Site A, Former Longcross Film
Studios
Chobham Lane,
KT16 0EE

A REPORT PREPARED FOR AND ON BEHALF OF:
ARK DATA CENTRES

Issue Date: 05 March 2021
Revision No:
Revision Date:

para
gon



Issuing Office:

Paragon, The Harlequin Building, 65 Southwark Street, London, SE1 0HR
Tel: 020 7125 0112

Date:

05 March 2021

Reference:

20.1250/CB/ED

Report Prepared By:

Charlie Bruinvels BSc MSc CEnv C.WEM

Signature:

Report Checked By:

Tim Caywood

Signature:

For and on behalf of
Paragon Building Consultancy Limited

CONTENTS

DASHBOARD SUMMARY

1.0	KEY FINDINGS	1
APPENDIX 1:	EXTENT OF SURVEY AND LIMITATIONS	7

ENVIRONMENTAL REPORT REVIEW

CLIENT NAME: ARK DATA CENTRES

PROPERTY ADDRESS: Ark Site A, Former Longcross Film Studios
Chobham Lane,
KT16 0EE

INSPECTION DATE: N/A



1.0 KEY FINDINGS

1.1	Introduction
1.1.1	Paragon Building Consultancy Limited (Paragon) was commissioned by Ark Data Centres Limited (the client) to undertake a review of third-party remediation reports. These were completed by Wilson Bailey, on behalf of Crest Nicholson, and relate to the slope and Building 100 (canteen) areas of Longcross Film Studios, Longcross. These areas are located within the site is referred to as Ark Site A, at the Studios, which has been sold by Crest Nicholson to Ark Data Centres Limited.
1.1.2	As part of the transaction, a Sales Agreement was formed whereby Crest Nicholson would undertake demolition and remediation works to provide a site that is free from contamination. The definition of contamination in the sales agreement is 'hazardous substances' which relate to "any substance, whether in solid, liquid or gaseous form and whether alone or in combination with any other matter which is capable of causing harm to human health or to the Environment".
1.1.3	During earlier phases of site investigation within Ark Site A, known areas of asbestos contamination were identified in the slope and canteen areas thus requiring remediation. These works were completed by Crest Nicholson and were independently verified by Wilson Bailey.
1.1.4	Paragon was commissioned to review the verification reports to assess whether the works have been completed in line with the Sales Agreement. Paragon has not visited the site or inspected the slope and canteen areas post-remediation.
1.2	Sale Agreement
1.2.1	The Sale Agreement included Remediation Proposal Reports by Wilson Bailey, which set out the procedure for remediating the asbestos contamination identified on the slope west of building 99 (report reference: J19010/C1/2, dated: September 2019) and in the area northeast of studio canteen (Building 100/101) (report reference: J19010/C1/4, dated: September 2019). A summary of each proposal and required verification in each area is presented below.

<p>1.2.2</p>	<p><u>Slope West of Building 99</u></p> <p>The remediation proposal for the slope was as follows:</p> <ul style="list-style-type: none"> • “Crest Nicholson Regeneration shall be responsible for the clearance of the vegetation within the steeply sloping bank area west of Building 99, as indicated on the appended plan, with removal of the vegetation arisings off Parcel C1; • Crest Nicholson Regeneration shall be responsible for excavation of the made ground and reworked topsoil present within this sloping part of the site and removal of the soil arisings off Parcel C1; • These excavation works are not notifiable and shall be supervised by Wilson Bailey Partnership and carried out under a precautionary regime of asbestos air monitoring, • The Purchasers consultant shall be informed of the timing of the works and may be in attendance on site at any time, as necessary; • The depth of removal is to extend to the base of the Made Ground. • Inspection of the reduced level excavation across this part of the site shall be carried out by Wilson Bailey Partnership; • Validation sampling of the soils that remain shall be carried out by Wilson Bailey Partnership in the locations indicated on the appended plan; • Samples shall be collected from Longcross Site Security by courier and transported under a Chain of Custody to a mutually agreeable UKAS and MCerts accredited laboratory.”
<p>1.2.3</p>	<p>The acceptability criteria set out was that “no visible asbestos containing materials are acceptable”, and in the event that fibres were identified then the quantification should meet the following “ ‘Trace’ concentration defined as a positive identification of asbestos but an unquantifiable mass of less than 0.001% of asbestos is deemed acceptable”.</p>
<p>1.2.4</p>	<p>Following the completion of above, Wilson Bailey set out that a Verification Report would be prepared and shall include:</p> <ul style="list-style-type: none"> • “Photographic records of the vegetation clearance; • Written confirmation by Wilson Bailey Partnership of the removal of cleared vegetation of Parcel C1; • Records of soil inspection and photographs of the reduced formation level following removal of soils; • Records of any areas where additional excavation is required to remove any remaining pockets of suspicious or contaminated soils; • Written confirmation by Wilson Bailey Partnership of excavated soils having been removed off Parcel C1; • Results of soil validation sample testing for the presence of asbestos; • Records of any additional works required, depending upon the results of the testing and inspection; and

<p>1.2.5</p>	<ul style="list-style-type: none"> • A clear and concise statement to be provided by Wilson Bailey Partnership to confirm the completion of these works and the completed resolution of the asbestos risk to this part of Parcel C1.” <p><u>Area NE of Studio Canteen (Building 100/101)</u></p> <p>The remediation proposal for the slope was as follows:</p> <ul style="list-style-type: none"> • “Under instruction from Crest Nicholson Regeneration, Wilson Bailey Partnership shall establish a statistically viable herringbone grid of additional sampling points at 2.00m centres across the area identified as an orange circle where positive identifications of asbestos have been determined; • Samples of the soils in each sampling point shall be recovered for the presence of asbestos by an independently accredited soils testing laboratory appointed by Wilson Bailey Partnership; • The Contaminated Land Consultant appointed by the Purchaser will be informed of the proposed additional sampling works and may be in attendance as necessary; • On the basis of the results of the additional asbestos testing, the results of which will be assessed with respect to the adopted acceptability criteria, the asbestos impacted area of soils will be refined prior to excavation and removed from the Parcel; • These excavation works are not notifiable and shall be supervised by Wilson Bailey Partnership and carried out under a precautionary regime of asbestos air monitoring and dust suppression as necessary; • The soils that remain following soil removal will be validation sampled and tested for the presence of asbestos on the basis of one sample per 10m² of exposed soils at the sides and base of the excavation. • The resulting excavation will then be formed to battered sides and fenced off as necessary to maintain site safety.”
<p>1.2.6</p>	<p>The acceptability criteria set out was that “no visible asbestos containing materials are acceptable”, and in the event that fibres were identified then the quantification should meet the following “ ‘Trace’ concentration defined as a positive identification of asbestos but an unquantifiable mass of less than 0.001% of asbestos is deemed acceptable”.</p>
<p>1.2.7</p>	<p>Following the completion of above, Wilson Bailey Partnership set out that a Verification Report would be prepared and shall include:</p> <ul style="list-style-type: none"> • “A summary of the results and conclusions drawn from the additional statistically valid soil sampling exercise used to refine the area of soil removal; • Photographic records of the topsoil clearance from the affected area; • Written confirmation by Wilson Bailey Partnership of the removal of cleared topsoil off Parcel C1; • Records of soil inspection and photographs of the reduced formation level following removal of asbestos impacted soils within the identified area; • Written confirmation by Wilson Bailey Partnership of excavated soils having been removed of Parcel C1;

	<ul style="list-style-type: none"> • Results of soil validation sample testing of the soils that remain for the presence of asbestos; • Records of any additional works required, depending upon the results of the testing and inspection; and • A clear and concise statement to be provided by Wilson Bailey Partnership to confirm the completion of these works and the completed resolution of the asbestos risk to this part of Parcel C1.”
1.3	Environmental Report
1.3.1	<p>Paragon has reviewed the following Environmental reports and salient points and extracts are included below:</p> <ul style="list-style-type: none"> • Wilson Bailey, 2020. Letter Report: Asbestos Contamination of Slope West of building 99. Dated: 10 October 2020. Reference: J19010C1/2-c03. • Wilson Bailey, 2020. Letter Report: Asbestos Contamination of Four Identified Areas Northeast of Building 100 (Canteen). Dated: 10 October 2020. Reference: J19010C1/2-c05a. <p><u>Wilson Bailey. Letter Report: Asbestos Contamination of Slope West of building 99. Dated: 10 October 2020.</u></p>
1.3.2	<p>The report outlines that Wilson Bailey was instructed by Crest Nicholson to undertake site inspections and carry out soil sampling on the slope in accordance with the Remediation Strategy. The soil sampling included testing for asbestos only.</p>
1.3.3	<p>The report states that soil samples that were recovered from the agreed locations as stipulated within the agreed Remediation Strategy were collected from site and transported directly to an independently accredited soils testing laboratory”. The report stated that “detectable asbestos has not been measured in the soil samples”.</p>
1.3.4	<p>The report includes an appendix containing laboratory testing.</p>
1.3.5	<p>The report concluded that “On the basis of the works carried out and the results of the soil testing carried out on samples recovered in accordance with the agreed Remediation Strategy, the samples of soils that remain within this part of the C1 site are considered to be free from asbestos and the remediation works in this part of the site are considered completed.”</p>
1.3.6	<p>A discussion of the findings of the report is presented in Section 1.4.</p> <p><u>Wilson Bailey, 2020. Letter Report: Asbestos Contamination of Four Identified Areas Northeast of Building 100 (Canteen). Dated: 10 October 2020.</u></p>
1.3.7	<p>Wilson Bailey was instructed by Crest Nicholson to undertake a supervision role for the removal of localised pockets of asbestos previously identified in a target phase of ground investigation works by Wilson Bailey. The report indicates that these works were set out in accordance with the requirements of the Remediation Strategy. The remedial works in this area were carried out by Lawsons under supervision of their appointed asbestos specialist.</p>

1.3.8	The works included the excavation of four areas adjacent to the canteen building where asbestos was previously encountered in earlier phases of ground investigation. The report states that the excavations were extended to natural ground and validation samples were collected from the sides and bases of the excavations.
1.3.9	Wilson Bailey reported that all but one sample were free from asbestos. The sample that detected asbestos was quantified to be below the limit of detection which is in accordance with the Remediation Strategy.
1.3.10	The excavations were backfilled with site won soils that were tested to confirm that they are suitable for use as a remediation backfill at the site. The report states that the arisings from the remediation excavation were disposed of by Lawsons to a suitably licensed receiving landfill site.
1.3.11	The report states that the “works were completed under damped down conditions to mitigate the risk of airborne fibres within any dust”.
1.3.12	A photographic record is presented in the report showing the excavations.
1.3.13	The report concluded that “the agreed scope of remediation works has now been completed and the identified and delineated sources of asbestos soil contamination within the Made Ground have been effectively removed.”
1.3.14	A discussion of the findings of the report is presented in Section 1.4.
1.4	Paragon Opinion
1.4.1	Based on the review of the Wilson Bailey reports, it is considered that in general the remediation has been completed in line with the Remediation Proposal Reports listed within the Sales Agreement. However, further information is required from Wilson Bailey. These requirements are set out below.
	<u>Slope West of Building 99</u>
1.4.2	A photographic record of the works is presented, which shows the majority of the vegetation along the slope had been removed. The only area where vegetation remains is shown in the photographs to be in the western part of the slope.
1.4.3	Whilst the photographs show the exposed soil, no geological description or depths for the excavations have been presented to confirm that the Made Ground and reworked topsoil has been removed.
1.4.4	The report includes a sample location plan, however the sample names do not match the site location plan.
1.4.5	There is also a laboratory report showing additional test suite, however it is not clear where these samples have been recovered from.
1.4.6	In addition, the report does not include information on whether additional or deeper excavations were required to remove any pockets of suspicious or contaminated soils.

<p>1.4.7</p>	<p>Whilst in general, the remediation strategy appears to have broadly been completed in line with the Sales Agreement, Paragon require clarification from Wilson Bailey on the following:</p> <ul style="list-style-type: none"> • Confirmation that the vegetation shown in the photographs in the western part of the slope has been removed; • Confirmation that the Made Ground and reworked topsoil have been removed by providing logs/physical descriptions of each sample locations; and • Provision of a revised laboratory report with sample names that reflect the positions listed on the sample location plan. <p><u>Area NE of Studio Canteen (Building 100/101)</u></p>
<p>1.4.8</p>	<p>Whilst the photographs show the exposed soil, no geological description or depths for the excavations have been presented to confirm the depths at which the natural soils were encountered.</p>
<p>1.4.9</p>	<p>The report has not included a sample location plan and as such, it is not clear where the samples have been collected from or what the sample names on the laboratory report refer to.</p>
<p>1.4.10</p>	<p>It is not clear how many samples were collected from this area as there is no site location plan. There is also a laboratory report showing additional test suite, however it is not clear where these samples have been recovered from.</p>
<p>1.4.11</p>	<p>The report indicates that the arisings were disposed of by Lawsons to a suitably licensed receiving landfill site, however waste tickets and Duty of Care records have not been provided.</p>
<p>1.4.12</p>	<p>In addition, the report does not include information on whether additional or deeper excavations were required to remove any pockets of suspicious or contaminated soils.</p>
<p>1.4.13</p>	<p>Whilst in general, the remediation strategy appears to have broadly been completed in line with the Sales Agreement, Paragon require clarification from Wilson Bailey on the following:</p> <ul style="list-style-type: none"> • Provision of logs for each excavation to confirm natural soil was encountered and to provide depths of the stratum; • Provision of a sample location plan to clarify where the samples were taken; and • Provision of waste tickets and Duty of Care records for soils that were removed from site.
<p>1.5</p>	<p>Conclusion</p>
<p>1.5.1</p>	<p>Whilst in general, the remediation strategy appears to have broadly been completed in line with the Sales Agreement, Paragon require clarification from Wilson Bailey on a number of points to ensure the requirements of the strategy and verification reports have been completed.</p>
<p>1.5.2</p>	<p>Wilson Bailey have been contacted, however no further iterations of their report have been produced.</p>

APPENDIX 1: EXTENT OF SURVEY AND LIMITATIONS

EXTENT OF SURVEY AND LIMITATIONS

The report has been designed to identify potential environmental risks and associated liabilities at the site. Generally review reports are based on third party data and or reports provided to Paragon, therefore we cannot be held responsible for the accuracy of the work of others and we assume that all information supplied to us is accurate and representative of the current site conditions.

The environmental risk assessment will be undertaken with due regard to Contaminated Land Guidance documents (available and relevant at the time of issuing our report) issued by (but not limited to) the Environmental Protection Act Part IIA 1990 (and subsequent amendments), Department for Environment, Food and Rural Affairs (DEFRA) and its predecessors, the Environment Agency (and its devolved equivalents), British Standards Institute (BSi), the Royal Institution of Chartered Surveyors (RICS) and the American Society for Testing and Materials (ASTM) Standard E 1527-00. No liability can be accepted for the effects of any future changes to such guidelines and legislation. In the event that guidance / legislation changes it may be necessary for Paragon to update or modify reports.

Specific comment is made regarding the site's status under Part 2A of the Environmental Protection Act (EPA) 1990, which provides a statutory definition of Contaminated Land and as revised under The Contaminated Land (England) (Amendment) Regulations 2012 (or devolved nation equivalents where relevant). Unless specifically stated as relating to this definition, references to 'contamination' and 'contaminants' relate in general terms to the presence of potentially hazardous substances in, on or under the site.

The risk assessment is dictated by the finite data on which it is based and is relevant only for the purpose of which the report is commissioned. If additional information or data becomes available which may affect the opinions expressed in our report, we reserve the right to review such information and, if warranted, to modify the risk assessment accordingly. We reserve the right to charge an additional fee for un-anticipated second opinion reviewing of previous reports. A site inspection was not carried out within the scope of this assessment.

Paragon has been able to identify perceived risks based on the information reviewed and made available. No intrusive ground investigation work was carried out and, as such, actual risks have not been established. Actual risks can only be assessed following an intrusive investigation of the site.

With regard to flooding our commentary is based on the publicly available mapping only, which is available at the time of writing via the EA, NRW, SEPA and / or the BGS. We cannot accept any liability where the information is updated following the issue of our report. No inspection or comment is made on the below ground drainage installations or service conduits unless instructed otherwise.

Where budget costs are included in our report, these costs are for guidance purposes only.

Our report will be for the attention and purposes of the Addressee only and consequently we cannot accept any third-party liability for the whole or any part thereof. Neither may the whole nor any part of our report, nor any reference thereto, be published in any way nor included in any published document, circulate or statement without our prior written approval of the form and context in which it may appear.

PARAGON ENVIRONMENTAL RISK ASSESSMENT – RISK CLASSIFICATIONS

RISK RATING	DEFINITION
Low	<p>The potential for financial liability in the future with respect to environmental considerations is considered negligible.</p> <p>No ground contamination investigation is advised assuming a continuation of current site use.</p> <p>The likelihood of the Regulatory Authority requiring a ground contamination investigation at the site in the near future is considered minimal, assuming a continuation of current site use.</p>
Low to Medium	<p>The potential risk of financial liability associated with environmental considerations in the future is considered minimal. A ground contamination investigation may be considered to fully assess the level of perceived risk. This would include an intrusive soil, groundwater and ground gas contamination assessment, and possible remedial works. A minor likelihood exists for the Regulatory Authority to require a ground contamination investigation at the site in the near future, assuming a continuation of present usage.</p>
Medium	<p>The potential risk of financial liability associated with environmental considerations in the future exists.</p> <p>A ground contamination assessment is advised prior to purchase to fully assess the level of perceived risk. This would include an intrusive soil, groundwater and ground gas contamination assessment, and possible remedial works. The potential exists for the Regulatory Authority to require a ground contamination investigation at the site in the near future, assuming a continuation of current site use.</p>
Medium to High	<p>A potentially significant risk of financial liability associated with environmental considerations in the future exists.</p> <p>The purchase of the site should only proceed with caution. An intrusive ground contamination assessment is likely to identify contamination across the site that may require extensive remediation. A significant likelihood exists that the Regulatory Authority will require a ground contamination investigation at the site in the near future assuming a continuation of current site use.</p>
High	<p>The risk of financial liability associated with environmental considerations in the future is considered high.</p> <p>An intrusive ground contamination assessment is likely to identify significant contamination across the site that may require extensive remediation. It is known that the Regulatory Authority will require a ground contamination investigation at the site in the near future assuming a continuation of present usage. Subsequent remedial works are considered likely.</p>

London

The Harlequin Building
65 Southwark Street
London SE1 0HR
T: +44 (0)20 7125 0112

Manchester

Freetrade Exchange
37 Peter Street
Manchester M2 5GB
T: +44 (0)161 260 0500

Esher

Warwick House
1 Claremont Lane
Esher, Surrey KT10 9DP
T: +44 (0)1372 469 985

Edinburgh

9 Alva Street
Edinburgh
EH2 4PH
T: +44 (0)131 300 0070

Bristol

Unit 1 Temple Studios
Temple Gate
Bristol BS1 6QA
T: +44 (0)117 301 7800

Paragon is a trading name of Paragon Building Consultancy Limited.
Paragon Building Consultancy Limited is a limited company.
Registered in England and Wales No. 08482471. Registered Office:
The Harlequin Building, 65 Southwark Street, London, SE1 0HR

**para
gon**