

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I075821
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1. **TITLE:** Part of London Road Strong's Heath Former Landfill

2. **SERVICE AREA:** Resources

3. **PURPOSE OF DECISION**

To grant permission to build an (adoptable standard) access road, subject to planning on part of the Bracknell Forest Council site, but with no land sale.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive Member for Transformation & Finance

6. **DECISION:**

1 That access be provided under licence and supervision across Council land to carry out, at their cost, investigations for the design of a permanent barrier subject to the developer's proposals as set out in paragraph 5.3 of the Director of Resources' report.

2 That subject to the outcome of those investigations being to the satisfaction of the Council's advisors, to then proceed with the terms of the licence for the access road, licence payment, and indemnity.

3 That the progress in dealing with the enduring (shared) liabilities for the former landfill site be noted.

4 That the release of £50,000 to support the process in dealing with the future of the main landfill site be supported.

7. **REASON FOR DECISION**

Bracknell Forest received an unsolicited, subject to planning, offer for 0.98 ha which forms part of the former landfill site in 2016. This piece of land is not actually part of the former landfill area. Discussions on this offer have been ongoing since that date and the developer no longer wishes to acquire the land, but wishes access across it and to build a road (to an adoptable standard) which may facilitate, subject to planning permission, the development of their site for housing.

Under the terms of the land transfer from the former Berkshire County Council to the Berkshire Unitary Authorities, Bracknell Forest Council is now the freeholder of the former landfill site land and is responsible for the maintenance of the site, but with the costs shared between all of the authorities. There are considerable liabilities associated with such a site. Technical and engineering solutions as well as land values have now progressed to a stage where addressing the enduring liabilities is likely to have reached a position for an economic solution. Previously the chief executives of the six Berkshire Councils have agreed to undertake a competitive dialogue process to test the financial feasibility for the remediation of the of the whole former landfill site in order to remove the potential liability and potentially

gain a significant capital receipt.

8. ALTERNATIVE OPTIONS CONSIDERED

Not to engage with the developer, but risk a claim of damages for contamination through migration onto land in their ownership.

9. PRINCIPAL GROUPS CONSULTED: Ward Members & CMT

10. DOCUMENT CONSIDERED: Report of the Director of Resources

11. DECLARED CONFLICTS OF INTEREST: None.

Date Decision Made	Final Day of Call-in Period
17 July 2018	25 July 2018