

Date Published: 16 January 2014



## **COUNCIL**

**22 JANUARY 2014**

### **AMENDMENT TO THE AGENDA PAPERS**

**TO: ALL MEMBERS OF THE COUNCIL**

**Please note that the agenda papers for this meeting included an error, the name of the representative for Bracknell Market traders is Mrs H Kent.**

Alison Sanders  
Director of Corporate Services

	<b>Page No</b>
<b>5. SUBMISSIONS UNDER COUNCIL PROCEDURE RULE 9 (PUBLIC PARTICIPATION)</b>	<b>1 - 4</b>
(i) The Council has received notice that Mrs H Kent of Great Hollands, on behalf of traders at Bracknell Market, will present a petition regarding their concerns about the consultation questions relating to the market.	

This page is intentionally left blank

TO: COUNCIL  
22 JANUARY 2014

---

**SUBMISSIONS MADE UNDER COUNCIL PROCEDURE RULE 9  
(PUBLIC PARTICIPATION)**

**Director of Corporate Services – Democratic and Registration Services**

**1 INTRODUCTION**

- 1.1 In accordance with Council Procedure Rule 9 (Public Participation), the Council has received notice that Mrs H Hill of Great Hollands, on behalf of traders at Bracknell Market, will present a petition regarding their concerns about the consultation questions relating to the market.
- 1.2 In accordance with Council Procedure Rule 9 (Public Participation), the Council has received notice that Mr S Butcher of Binfield, on behalf of Binfield Village Protection Society, will present a deputation regarding their concerns about the proposed removal of the Section 52 agreement currently protecting Blue Mountain Golf Course, Binfield from development.

**2 SUPPORTING INFORMATION**

**Bracknell Market Consultation**

- 2.1 In accordance with the Council's Scheme of Public Participation, the lead petitioner, Mrs H Hill will attend the Council meeting to present the petition.
- 2.2 The petition is worded as follows:

**The People of Bracknell: Force Bracknell Council to change the Consultation Questions for our Market**

As many of you may be aware, the council had a meeting with the market traders last Friday. The meeting was to basically inform us of our impending doom and demise. The council have over 70 years left on the lease of the space we are in yet are very happy to hand this back to Comer Homes for no remuneration what so ever. The council and everyone in this town simply want the building to come down no matter what and so handing back the lease is the council's way of giving Comer Homes exactly what they want as well as the people of the town.

The council have had years and years to find a good home for the market but as expected, they have left it until the last minute and now there is nowhere. We traders are not asking to stay where we are because we have suffered for too many years with poor electrics, leaking roofs and the general demise of our once prosperous market. I would like to know, if the market is taken outside next to a building site, where they will be getting their new stall holders from because 95% of the traders we have simply cannot exist outside.

The public consultation begins on 18th November 2013 and will run until January. This will give the public a chance to vote on what they want. However, the questions are very loaded and really, don't relate to the market at all.

1. Do you want to keep the market where it is and Winchester House stay?
2. Do you want to move the market so Winchester House can be re-developed?
3. Do you want to close the market so Winchester House can be re-developed?

As you can see, the way they have been worded is leading people to number 2 because there are more people in this town who want the building down than who want a market. People who want a market but don't care where it is will obviously chose option 2 which is exactly what the council want.

My question is, how can they produce 3 questions regarding what the people of Bracknell want without giving a 4th option of "Do you want an indoor market". The reason this question has not been added is because the council simply do not wish for the outcome to be number 4. The decision has already been made going by the questions they are asking.

This petition is to force the council to change these very loaded questions. If they actually want the views of the people of Bracknell on the future of the market, Winchester House should not even be mentioned. Our proposed options are:

1. Close the market completely
2. Move the market to an outside location
3. Move the market to an indoor location when available

Having these questions will then focus people's minds on the market, not Winchester house which we all want pulled down.

Please use your fingers and sign this petition. At least that way, we will all get a better understanding of what the people of Bracknell want rather than what the Council of Bracknell want.

### **Proposed release of the Section 52 agreement**

- 2.3 In accordance with the Council's Scheme of Public Participation, Mr S Butcher of Binfield on behalf of Binfield Village Protection Society, will attend the Council meeting to present the deputation.
- 2.4 A summary of the deputation is worded as follows:

### **Proposed removal of the Section 52 agreement currently protecting Blue Mountain Golf Course from development**

We are aware you will be asked to take a decision at this meeting regarding the release of the Section 52 agreement currently protecting the Blue Mountain Golf Course, Binfield. We wish to place before you the following points for consideration before you vote. BVPS believes the release of the Section 52 Agreement should be refused for the following reasons:

#### **1. It challenges local democracy**

The party whip was imposed on members inclined to vote against the original allocation of the Blue Mountain site. Residents' elected representatives were deprived of the opportunity to challenge the allocation and a truly democratic process was not followed. The Council's own Standards Committee subsequently agreed that this was a breach of protocol, but, due to the Council's recent amendment to its

constitution **you now have the freedom to use your own judgment in making this decision.**

## 2. Public interest

Bracknell Forest Borough Council claims it is in the overriding public interest to develop Blue Mountain and that this outweighs the loss of green space, community facility and impact on local infrastructure. Public feedback we have collated (as of 13 January) includes in the region of 150 completed resident survey responses, 500+ Facebook followers, a Facebook poll which is currently running at 96% of respondents not believing it is in the Public Interest to build on Blue Mountain, 321 objections sent to Bracknell Forest Borough Council, 120 letters sent to our local MP and over 650 signatures received in an online petition asking councilors to refuse the release. This demonstrates a very clear message from the public. Correspondence in favour of the re-development other than that emanating from Bracknell Forest Borough Council is sparse. We believe these proposals are **not in the public interest.**

## 3. Motive

The REAL reason for selecting the Blue Mountain site remains confused and hidden. Public documents published by Bracknell Forest Borough Council are confusing on this issue; at different times the need for schools, a football stadium and housing have all been cited as the driving force.

There are plenty of other sites available in the Borough for schools, not least empty office buildings/sites that could be developed more quickly and at lower cost without having to build on a currently protected green space. The reason for not building at Amen Corner, due to Wokingham schools benefiting from the school is weak. Residents of the new development opposite Loch Fyne in Wokingham are within a perfectly acceptable catchment area of Blue Mountain to make use of a school there.

Binfield already has a successful community based football club including 32 junior teams. Relocating Bracknell Town Football Club to Binfield would not only deprive residents of the town of its own local football teams, but also damage the success of Binfield FC's community model.

Regarding housing, although the Inspector cited housing targets as the primary driver for approving the site allocations, Bev Hindle, Chief Officer: Planning and Transport has confirmed that Blue Mountain will only meet housing targets in a small way. The published proposals for **Blue Mountain do not solve the housing problem.**

## 4. Reputation and betrayal of trust

Bracknell Forest Council publically assured residents by letter at the time the Agreement was signed that the green gap and public facility would remain for 125 years. It now wishes to renege on this assurance only 23 years later. Residents feel betrayed and let down by their representatives. The "watertight" agreement has proven to be anything but. However, unbelievably Bracknell Forest Borough Council now asks the very same residents to believe it when it says it will provide future open space and minimise the number of houses on the site based on a vague proposal which has no legal basis at all. Unsurprisingly **residents are not convinced of the Council's ability or desire to uphold such future promises** and have asked us to oppose this proposal on their behalf.

## 5. Immediate impact of the decision

There is no outline planning permission, no published proposal for funding or developing this area, only sketchy ideas. The proposed removal of the Section 52 Agreement at this time will give **developers total freedom** to make any proposals for the site they wish challenging BFC's published ideas.

Currently, the Section 52 Agreement binds the golf course operator to run the facility and golf course with full access to members of the public. The details of the sub lease between BFC, Luff and Crown Golf are vague. Would removal of the Agreement at this time enable the operator to run the facility (if they so wished) as a **closed members-only facility with no access to the area for local residents?**

We believe the issues outlined above raise significant questions over the legitimacy and viability of the proposed development on Blue Mountain. We ask Councilors to recognise these points and vote to either **refuse or defer the decision** to remove the Section 52 Agreement until the above can be fully investigated and resolved.

We have collated substantial supporting documentation relating to our points and would be happy to send to you upon your request.

### Background Papers

None.

### Contact for further information

Ann Moore, Corporate Services – 01344 352260  
ann.moore@bracknell-forest.gov.uk