

## AGENDA FOR

## OVERVIEW AND SCRUTINY COMMITTEE

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**To: All Members of Overview and Scrutiny Committee**

**Councillors** : D.Vernon, C Walsh, R Bernstein (Chair),  
C Birchmore, N Boroda, L Dean, U Farooq, G McGill,  
K Peel, M Powell and L Smith

Dear Member/Colleague

### **Overview and Scrutiny Committee**

You are invited to attend a meeting of the Overview and Scrutiny Committee which will be held as follows:-

<b>Date:</b>	Thursday, 29 July 2021
<b>Place:</b>	Council Chamber, Bury Town Hall
<b>Time:</b>	7.15 pm
<b>Briefing Facilities:</b>	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
<b>Notes:</b>	

## **AGENDA**

### **1 APOLOGIES**

### **2 DECLARATIONS OF INTEREST**

Members of the Overview and Scrutiny Committee are asked to consider whether they have an interest in any matters on the agenda and, if so, to formally declare that interest.

### **3 PUBLIC QUESTION TIME** *(Pages 5 - 12)*

A period of 30 minutes has been set aside for members of the public to ask questions on matters considered at the last meeting and set out in the minutes or on the agenda for tonight's meeting.

Questions and responses, received in advance of the meeting are attached.

### **4 \*CALL IN - ACCELERATED LAND AND PROPERTY DISPOSALS PROGRAMME - PHASE 2** *(Pages 13 - 44)*

Following the receipt of a Notice of Call-in within the required deadline, from Councillor N Jones calling in the decision of the Cabinet set out in Minute CA.94 of the meeting held on the 30<sup>th</sup> June 2021 a meeting of the Committee has been convened in order to consider the matter in accordance with the reasons set out on the Notice of Call-In.

In considering the matter, the options available to the Scrutiny Committee are as follows:

1. The Scrutiny Committee decides not to offer any comments on the Notice. In this situation the decision of the Cabinet will stand.
2. The Scrutiny Committee decides to offer comments or objections, which will be referred back to the Cabinet
3. The Scrutiny Committee may refer the Notice, without comment, to the Council. The matter will then be considered by the Council (a standard item appears on all Council summons to consider referrals from Scrutiny Committees). Any comments or objections from Council will be referred back to the Cabinet at the earliest opportunity, in accordance with the Council Constitution.

The Cabinet will be required to consider any objections and comments but will not be bound by them unless "it is contrary to the Policy Framework or contrary to or not wholly consistent with the Budget"

A copy of the original paperwork considered by Cabinet, along with the decision Minute and Call -in notice are attached in the agenda packs.

### **5 URGENT BUSINESS**

Any other business which by reason of special circumstances the Chair agrees may be considered as a matter of urgency.

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**Public Questions – Overview and Scrutiny****29<sup>th</sup> July 2021**

1. Why is this necessary to sell as its a lovely social land which brings the neighbourhood together. A memory bench has been placed there is used a lot? **Adrian and Karen Barr**

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

The Cabinet Report 24<sup>th</sup> November 2020 approved the Council taking active steps to rationalise its land and property assets that are surplus to the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

However, it has been brought to the Council's attention that this asset is of potential community value, so the Council will absolutely consider a Community Asset Transfer (CAT), under the Council Community Asset Transfer Policy where it can be demonstrated that there is a community group that is able to take on the management of this asset.

A CAT is one of the methods of disposal under the Council's Accelerated Land & Property Disposals Programme (ALPDP) and will be considered for all assets where community value can be demonstrated.

2. What would be required of the local Residents Association, or another socially focused organisation, to be able to take over the green on Sergeants Lane in Whitefield? **Tony Ryan**

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

In addition to Q1, a local Residents' Association or other type of community group would need to be a legally constituted entity e.g. have a bank account etc.

3. The green on old hall park estate was purchased from barretts in 1979 with no onerous covenants and leisure controlled what ever that means. its service use is described as leisure . For over 45 years it has been used by the community continually and the residents committee have planted bulbs fruit trees and purchased a memorial bench which is in daily use. In the current covid pandemic it has been a really life saver as a safe place for exercise fresh air and socially distanced contact with neighbours. So why has it been placed on this list? **Yvonne Moore**

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

The Cabinet Report 24<sup>th</sup> November 2020 approved the Council taking active steps to rationalise its land and property assets that are surplus to

the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

4. Why has there been no community engagement prior to the presentation of the report to Cabinet and approval for disposal? **Jacqueline Yarwood**

The first step in the disposals process is for Cabinet to approve its assets (via a phased approach) as being surplus to the Council's requirements. This does not require community engagement. Once approved, the next step is for the Council to decide on the best method of disposal and undertake the necessary consultation which will include community engagement where necessary.

As part of the governance process before Cabinet, respective ward members are notified of assets in their area that are part of each phase and therefore have an opportunity to raise queries or objections.

In the context of 7 Ryecroft Whitefield we did not receive any feedback or objections from any Pilkington Park ward councillors.

Supplementary Question:

Para 3.23 in Topic Paper 4 of the Bury Local Plan states 'there is a need to protect and enhance the areas of open space, sport and recreation that is important to the residents, landowners, businesses and other users in the Borough'. Are members aware of how this area has been used by residents over the last 40+ years? Do they know it has been planted with trees and bulbs by residents (approved by the Council), a commemorative bench provided (with the Mayor present at the unveiling), community events taken place (rounders tournaments, playing of The Last Post on VE Day) and election cabins located for Pilkington Park ward? Para 3.26 in Topic Paper 4 of the Bury Local Plan identifies that Whitefield and Unsworth have the lowest parks and gardens provision in Borough. Why do members feel it is ok to remove this area when amenity space is lacking in our Ward? No intention to remove – no pre-conceived use etc

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

The Council is not looking to remove the area – it is looking to taking active steps to rationalise its land and property assets that are surplus to the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

There is no intention through the ALPDP to set a proposed use for each asset. In some cases where appropriate, the Council may look to dispose of an asset with restricted use e.g. to maintain an open space for public enjoyment.

5. What is the upkeep and maintenance cost per year to the Council for the land at Ryecroft? **Paul Yarwood**

Annual cost of £680.

Supplementary Question:

Are the Council looking to simply remove the upkeep costs of the amenity space or gain revenue from the sale?

The Council is taking active steps to rationalise its land and property assets that are surplus to the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

6. Were valuations done to ascertain the estimated level of capital receipts from the sale of the assets in the report and if so have they been prioritised? What monetary value are the Council seeking for the land?  
**Lois Clements**

No formal valuations have been carried out.

Supplementary Question:

Are members aware of how this area has been used and much loved by residents over the last 40+ years? Do they know it has been planted with trees and bulbs by residents, a commemorative bench provided, community events such as the recent VE Day celebrations have taken place here and election cabins located for Pilkington Park ward? Bury's vision statement includes the following priority "Drive forward through effective marketing and information, proactive engagement with the people of Bury to take ownership of their own health and wellbeing". Would the members explain how the removal of a much loved amenity green space will improve residents wellbeing, particularly those who are older and less mobile?

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

The Council is not looking to remove the area – it is looking to taking active steps to rationalise its land and property assets that are surplus to the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

7. What is the reason for the council deciding to sell this land? Why have the local community not been consulted on this? **Lauren Newman**

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

The Cabinet Report 24<sup>th</sup> November 2020 approved the Council taking active steps to rationalise its land and property assets that are surplus to the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

The first step in the disposals process is for Cabinet to approve its assets (via a phased approach) as being surplus to the Council's requirements. This does not require community engagement. Once approved, the next step is for the Council to decide on the best method of disposal and undertake the necessary consultation which will include community consultation where necessary.

As part of the governance process before Cabinet, respective ward members are notified of assets in their area that are part of each phase and therefore have an opportunity to raise queries or objections. All Pilkington Park ward councillors were written to highlighting the Ryecroft site being within the proposed disposals cabinet report. No feedback or objections were received.

8. Would regret loss of this local amenity which is valuable to community. Why sell it? **Catherine Armitage**

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

The Cabinet Report 24<sup>th</sup> November 2020 approved the Council taking active steps to rationalise its land and property assets that are surplus to the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

The Council is looking to dispose of the asset which does not necessarily mean it will sell it. A CAT is one of the disposal options that will be considered.

9. How would the disposal of Rye Croft, known as The Green to local residents, be aligned to and in support of the recent Greening our borough for tomorrow's generation - Burys climate strategy? I would suggest it would not. **Alison Denholm**

It has been brought to the Council's attention that this asset is of potential community value, so the Council will consider a Community Asset Transfer (CAT), under the Council Community Asset Transfer Policy where it can be demonstrated that there is a community group that is able to take on the management of this asset.

A CAT is one of the methods of disposal under the Council's Accelerated Land & Property Disposals Programme (ALPDP) and will be considered for all assets where community value can be demonstrated. As its current use is green space, it will support the above strategy.



Supplementary Question:

Are the planning and environmental officers in agreement of removing from Bury Council this utilised leisure amenity which is aesthetically needed to break up the landscape of the housing development, respected, enhanced by residents with seating and further planting of trees and bulbs, encouraging physical exercise and improvement in wellbeing and socialisation, strengthening local community through the use of Rye Croft, The Green?

At this stage within the disposals process, it is not necessary to consult planning and environmental officers.

It has been brought to the Council's attention that this asset is of potential community value, so the Council will consider a Community Asset Transfer (CAT), under the Council Community Asset Transfer Policy where it can be demonstrated that there is a community group that is able to take on the management of this asset.

A CAT is one of the methods of disposal under the Council's Accelerated Land & Property Disposals Programme (ALPDP) and will be considered for all assets where community value can be demonstrated. As its current use is green space, it will support the above strategy.

The Council is currently seeking to dispose of certain land assets but is not setting the future use of them as this will be up to the Planning Authority to determine should a change of use be identified by the community group.

10. When the current estate was completed, the Council refused the builder's further planning permission request for additional building on the land at Rye Croft - known as "the Green" to generations of our children who have played there for some 45 years and has been a valued open space to residents who live within a stone's throw of what has become one of the busiest and heaviest polluting motorways in the UK. Why is it now possible to consider building there? **David Moore**

The Council is not considering building on the asset. It is seeking to dispose of the it.

11. It is understood 'The area known as the Green has been listed as a potential sale. Why specifically has this area of land been selected? Where does it lie in potential value in relation to the other areas on the Council's list of other areas being considered? What value has been placed on the Green by the council? How was it valued? **Gerald Hattersley**

The Cabinet Report 24<sup>th</sup> November 2020 approved the Council taking active steps to rationalise its land and property assets that are surplus to the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

The asset has not been valued.

Supplementary question

Many - dependent upon response to base questions.

12. How did the council acquire the land? Was it by gift or purchase? Were there any covenants or restrictions placed on the use of the land for example did the restrictions stipulate that the land had to be kept as an open area with no development on it. **Johanna Largan**

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

The land was acquired from Barrett Homes in 1979 without any onerous conditions. Land Registry Title no. GM174948.

As a matter of course, each asset proposed to be disposed of, will have the Council's legal title checked to identify whether there are any covenants, restrictions etc that may prevent or frustrate the disposal.

Supplementary question

When the estate was being developed what restrictions were placed on the use of the green in the planning permission? And where are those planning documents now in order to be examined by the residents. Will the council make the relevant documents available for residents to scrutinise?

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

The land at Rye Croft was acquired from Barrett Homes in 1979 without any onerous conditions. Land Registry Title no. GM174948.

The Council is currently seeking to dispose of the asset but is not setting the future use of it.

It has been brought to the Council's attention that this asset is of potential community value, so the Council will consider a Community Asset Transfer (CAT), under the Council Community Asset Transfer Policy where it can be demonstrated that there is a community group that is able to take on the management of this asset.

A CAT is one of the methods of disposal under the Council's Accelerated Land & Property Disposals Programme (ALPDP) and will be considered for all assets where community value can be demonstrated. As its current use is green space, the Council is happy to support this continued use via a CAT.



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<b>Classification</b>	<b>Item No.</b>
<b>Open</b>	

<b>Meeting:</b>	Cabinet
<b>Meeting date:</b>	Wednesday 30 <sup>th</sup> June 2021
<b>Title of report:</b>	Accelerated Land and Property Disposals Programme – Phase 2
<b>Report by:</b>	Councillor Eamonn O’Brien <i>Leader/ Cabinet Member for Finance and Growth</i>
<b>Decision Type:</b>	<b>Key Decision</b>
<b>Ward(s) to which report relates</b>	All wards

### Executive Summary:

The Council wishes to take active steps to rationalise its land and buildings, hereafter referred to as property assets. Many of its property assets are being seen as surplus to the requirements of the Council.

Further to the Cabinet report that approved the Council’s Accelerated Land and Property Disposals Programme on 24<sup>th</sup> November 2020, a Phase 1 list of sites was approved at Cabinet on the 24<sup>th</sup> March 2021. This report identifies the Phase 2 list of sites and seeks approval for the property asset disposals.

There are 29 sites that are part of Phase 2 which are detailed in this report at Appendix A. It is also proposed that additional land is included to 1 site from the Phase 1 list for disposal which are detailed in Appendix B.

## **Recommendation(s)**

### **That:**

- Approval is given for disposal of the Phase 2 property assets that are surplus to requirements.
- Approval is given for the inclusion of additional land to 1 site from the Phase 1 list.
- Acceptance that the Brownfield Housing Fund will assist with disposal options for the sites identified as housing development sites.

## **Key Considerations**

### **Background**

A Cabinet report was approved on the 24<sup>th</sup> November 2020 which provided an overview on the Accelerated Land and Property Disposals programme including identifying some of the key benefits:

- Local Economy – Capital Receipts, Business Rates, Council Tax
- Creation of additional local jobs/ small business space
- Improved highway curtilage – potential use for digital marketing
- New housing
- Resources – reduction in cost base
- Reducing the Councils exposure to health and safety risks associated with holding vacant property assets
- Permanent release of revenue costs associated with holding vacant property assets

On the 24<sup>th</sup> March 2021 Cabinet approved the disposal of 20 Phase 1 property assets that were surplus to requirements. The Cabinet Report noted that some of these property assets are benefitting from the Brownfield Housing Fund which will assist in de-risking the delivery of new homes.

## **Current Challenges**

There are limited Council resources to deal with the constant requests from individuals or third parties looking for opportunities to purchase our property assets. Phase 2 will continue the programme to bring in the required resources to comprehensively allow the Council to dispose of its chosen property assets in a strategic and co-ordinated way, and via a manageable phased approach.

There is a cost to maintain the Council's assets and failure to manage them properly could cause a potential health and safety risk, as well as a reputational risk to the Council as the landowner.

## The Proposal

### List of Property Assets/Progress

The following 29 Phase 2 property assets are recommended for disposal. Further details on the sites can be found in Appendix A.

ADDRESS	SERVICE USER
Land between 205-211 Bury Old Road, Prestwich	Leisure - Landscaped Area
Broad Oak, off Broad Oak Lane and Bridge Hall Lane, Bury	Property
Land rear of 115 Outwood Road, Radcliffe	Housing
Former Millwood School, Fletcher Fold Road, Bury	Children's Services - Former School
Land at Fitzgerald Close/Venwood Road, Prestwich	STH
Land adjacent to 65 Turks Road, Radcliffe	STH
Land at Chesham Road/Hilton Street, Bury	Leisure - Landscaped Area
8 Albert Close	Leisure
Rye Croft	Leisure
Philips Park - Stable building & Orangery	Leisure
Outwood Radcliffe Banking	Leisure
Springside View (Part)	Leisure
Sherringham Drive	Leisure
Dareham Close No 2	Leisure
Dareham Close No 9 + 11	Leisure
Holbeach Close Walkway	Leisure
Holland Street/North Street	Leisure
Holland Street/Hutchinson Street	Leisure
Dean Street	Leisure
Spring Lane Whittaker Street	Leisure
Bevis Green	Leisure
Barrett Estate Limefield	Leisure
Greengate Lane/Warwick Street	Leisure
Richard Birch Street/Taylor Street	Leisure
Bond Street/Queen Street	Leisure
Back Laurel St, East Bury	Leisure
Salford Street	Leisure
Bury New Rd Brightmet	Leisure
Shirebrook Drive/Whittaker Street	Leisure

In addition to the Phase 2 sites above, additional land will be included in the disposal site boundary for the following Phase 1 site. Further details on the amendments can be found in Appendix B.

ADDRESS	SERVICE USE
Additional Land between Fern Street Garage and Peel Brow	Leisure

### **Process for Disposal**

An operational process map has been established that sets out a fair and consistent process, including governance route that will be followed for each disposal.

This revised operational process map is as a result of a review of the existing Council's Disposals Strategy 2013. It incorporates some of the existing principles for disposal of the 2013 strategy but also realigns it with the current priorities and structure of the Council.

Disposal of the property assets will be through a range of methods – land transaction, auction, marketed through an agent, community asset transfer etc. There will be a variety of property assets disposed of and it is important that there is a range of available disposal options, as not all property assets will benefit from being disposed of in the same way.

The management of each disposal will be delegated to the Head of Property & Asset Management/Director of Economic Regeneration & Capital Growth, as per approval given at Cabinet on 24<sup>th</sup> November 2020.

There will be a continuous active review of the Council's property assets that will include communication and consultation with key officers in all departments to help determine and prioritise property assets that are identified as surplus to requirements. This will establish the future phases of property asset disposal in line with Council strategies, requirements and expectations.

### **Future Strategy**

Although this report focuses on Phase 2 of the Council's Accelerated Land and Property Disposal Programme, it is part of an ongoing piece of work that will include future phases of property assets for disposal over (at least) the next 2-3 years. A Phase 3 list is currently being considered and developed.

Officers have established a strategy for the identification of future property assets. A template for property review has been formulated to prioritise assets for disposal, alongside a matrix and criteria to help with developing the strategy.



Identification of property assets for disposal will be on a rolling programme of phases that will be identified by the Programme Manager for the programme. All future phases (like this first phase) will be manageable phases to ensure the success of the programme.

## Programme Management

The following table sets out the key achievements since the Cabinet approval in November 2020:

<b>Milestone</b>	<b>Timeline</b>	<b>Achieved</b>
Cabinet approval for accelerated disposals programme	November 2020	Yes
Interim Programme Manager appointed (support from GMCA)	January 2021	Yes
Phase 1 list circulated internally (for Expressions of Interest as per process map)	February 2021	Yes
Cabinet Approve Phase 1 Programme	March 2021	Yes
Appointment of Property Lawyer and Property Agent	April 2021	No – June for property Lawyer. August for property agent
Marketing of sites commences, including taking sites to auction	April 2021	No – likely to be August/ September in line with auction dates and retained agent appointment

The Property Lawyer post's is currently being re-advertised and it is anticipated that an appointment will be made in June 2021. The Property Agent resource will be part of a retained agent service that the BGI department will procure and manage – the brief for the invitation to tender has been agreed and it is hoped that a suitable property agent will be in place by August 2021. The Homes England Framework is being used for this procurement process and has two stages. The first stage is for Expressions of Interest and the second stage is a formal invitation to tender.

Work is also underway to secure a programme manager for the duration of the programme by June/July 2021, noting that the current programme manager is interim but will stay in post until the recruitment process is complete to ensure that no momentum is lost with the programme.

## Community impact / Contribution to the Bury 2030 Strategy

Community groups or other parties may express an interest in acquiring land assets from the Council. It may be that if a sale price is not secured that a community transfer could be considered.

The community will benefit from some assets being transformed from possibly unused pieces of land that have been difficult to maintain over the years, to land that is of benefit to the local community e.g. small-scale residential developments.

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## Equality Impact and considerations:

This proposal does not adversely affect equality.

24. *Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

*A public authority must, in the exercise of its functions, have due regard to the need to -*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*
- 

## Assessment of Risk:

<b>Risk / opportunity</b>	<b>Mitigation</b>
Recession leads to lower land values and receipts	In this event, a larger disposal programme would be required to meet targets. The Council may wish to remarket land and property disposals that do not meet anticipated returns.
Land and property disposals are notoriously labour intensive and are at risk of not being favoured within a community	Agree sales schedules with Members and in particular ward members where they might be impacted and consider disposing to a community group via community asset transfer, subject to conditions being satisfied

<b>Risk / opportunity</b>	<b>Mitigation</b>
Purchaser fails to meet obligations placed on an agreed disposal and a dispute breaks out	Strict legal process in place that allows the Council to act if the agreed obligations were not met within an agreed timescale
Resources to undertake the land and property disposals are not put in place in a timely manner	Recruit the necessary personnel in accordance with the key milestones and expected delivery timescales

### **Consultation:**

Key Council officers (through the Council's Asset Working Group and the Executive Budget Holders Asset Board) have already been consulted on the list of property assets recommended for disposal, as part of the governance process for this disposals programme.

A 10 Stage Governance route process has been established which includes periods of consultation for Council Officers to identify constraints on the property assets development or disposal and where necessary declare an Expression of Interest and prepare a business case for Property Assets identified as surplus to requirements that they wish to retain and utilise.

Also, as part of the agreed governance process, respective Ward Members have been consulted on the property assets that are being recommended for disposal that are in their ward. There were no comments made in relation to any of the property assets identified for disposal.

Comments have been helpfully received from Highways on some of the property assets that will be carefully considered and fed into next stages of the work that will involve preparing the assets for disposal.

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### **Legal Implications:**

There are no legal implication arising from this report, but legal input will be required in relation to the proposed disposals. The dedicated legal post will be recruited to in line with the Council's recruitment and selection policies and compliance with relevant equality duties.

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### **Financial Implications:**

The Council is undertaking a review to rationalise its surplus land and property assets and received a report back in November 2020 which included phase 1 of those property assets. This report now includes those assets identified as phase 2.

The previous report identified that the total pipeline of sites indicates that c£8m in capital receipts can be generated.

A maximum of 4% of capital receipts can be offset against cost of sales, and this amount will be maximised, as appropriate, to limit any costs against the Council's revenue budget. £0.6m is likely to be needed to drive forward the programme primarily through the appointment of a programme manager, property agent and property lawyer. These posts will form part of the cost associated with selling the assets and therefore can be allocated to the capital receipts. However, the amount chargeable is capped by Government legislation so consideration needs to be given to potential revenue implications of those costs of sale that exceed the 4% limit.

There are further capital costs of £1.6m that have already been incurred related to this programme and while these costs have been funded in 2020/21, they have increased the Council's borrowing need and this will need to be offset by the receipts once they are realised.

Any capital receipts in excess of the costs above, and the opportunity they provide, will need to be considered in the context of the Council's financial strategy.

The Council has also secured Brownfield Land Grant which will support and fund some of the costs associated with the programme. This funding is however time limited and the proposals therefore need to be progressed at pace to avoid any of the grant funding being returned.

Regular monitoring and reporting of the process will be needed to ensure that receipts are delivered within anticipated timescales and that the Council does not incur costs without seeing the benefit of receipts and also to mitigate against the risk of clawback of grant monies. As part of the development of the governance arrangements for the capital programme, monitoring of capital receipts and the progress against the disposal programme will be factored into the quarterly monitoring reports to Cabinet.

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### Report Author and Contact Details:

**Paul Lakin**

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**Ross Sutherland (Interim Programme Manager)**

**Delivery Manager**

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**Background papers:**

APPENDIX A – Phase 2 list of property assets (attached)

APPENDIX B – Additional land for Approved Phase 1 Property Assets (attached)


Approved Accelerated Land and Property Disposals Programme Cabinet Report 24<sup>th</sup> November 2021 (referenced in this report)


**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning

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# APPENDIX A – POTENTIAL SITES


<b>Site Address</b>	Land between 205-211 Bury Old Road, Prestwich
<b>Site Size</b>	0.11Acre/ 476m2
<b>Service Use</b>	Leisure - Landscaped Area
<b>Notes</b>	Landscaped Area
<b>Site Plan</b>	

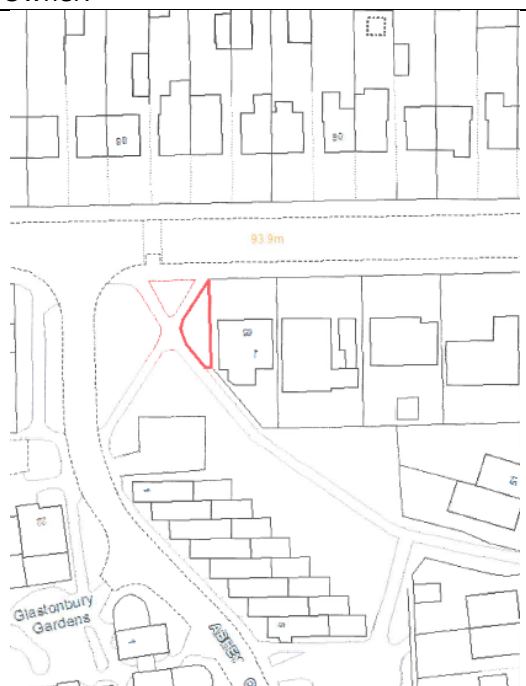
<b>Site Address</b>	Broad Oak, off Broad Oak Lane and Bridge Hall Lane, Bury
<b>Site Size</b>	23.50 Acres -Various sized plots
<b>Service Use</b>	Property
<b>Notes</b>	Grazing Land let on Licence - Green Belt
<b>Site Plan</b>	

<b>Site Address</b>	Land rear of 115 Outwood Road, Radcliffe
<b>Site Size</b>	0.0038Acre/ 15.4m2
<b>Service Use</b>	Housing
<b>Notes</b>	Land on Garden Tenancy. Housing land – Fenced off by occupier
<b>Site Plan</b>	

<b>Site Address</b>	Former Millwood School, Fletcher Fold Road, Bury
<b>Site Size</b>	9046m2
<b>Service Use</b>	Children's Services - Former School
<b>Notes</b>	Building Demolished
<b>Site Plan</b>	<p>The site plan shows the former Millwood Primary Special School, which is outlined in red. The school is located on Fletcher Fold Road, Bury. The plan also shows surrounding residential areas, including Millwood Court and Fletcher Fold, and the River Irk.</p>





<b>Site Address</b>	Land at Fitzgerald Close/Venwood Road, Prestwich
<b>Site Size</b>	140m2
<b>Service Use</b>	STH
<b>Notes</b>	POS Notice done. Possible rent to adjacent STH Tenant.
<b>Site Plan</b>	

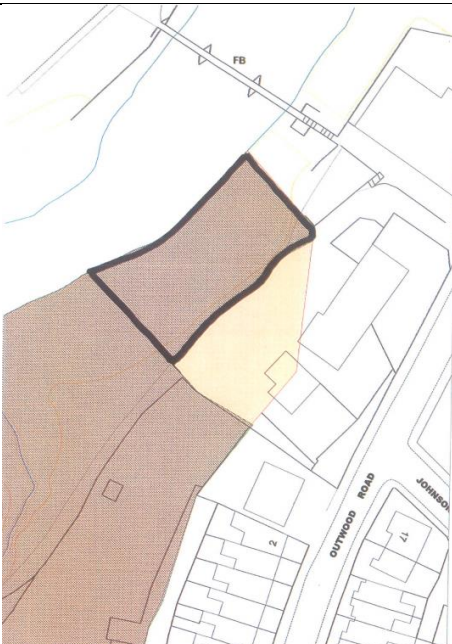
<b>Site Address</b>	Land adj 65 Turks Road, Radcliffe
<b>Site Size</b>	53m2
<b>Service Use</b>	STH
<b>Notes</b>	Interest from Adj Owner.
<b>Site Plan</b>	

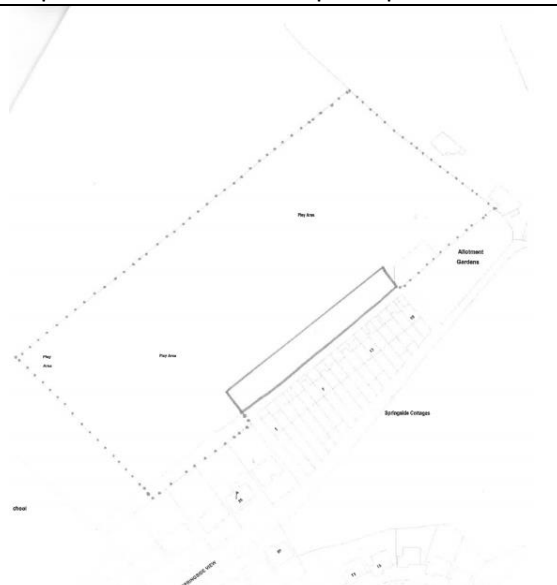
<b>Site Address</b>	Land at Chesham Road/Hilton Street, Bury
<b>Site Size</b>	195m <sup>2</sup>
<b>Service Use</b>	Leisure - Landscaped Area
<b>Notes</b>	Landscaped Area
<b>Site Plan</b>	


<b>Site Address</b>	8 Albert Close
<b>Site Size</b>	1772m <sup>2</sup>
<b>Service Use</b>	Leisure
<b>Notes</b>	Land purchased from Manchester City Council in 1988, with a covenant restricting use to public open space, controlled by Leisure Services. Currently overgrown land.
<b>Site Plan</b>	


<b>Site Address</b>	7 Rye Croft
<b>Site Size</b>	2083m2
<b>Service Use</b>	Leisure
<b>Notes</b>	Purchased by Bury Metro in 1979 from Barratts Developments. No onerous covenants. Leisure controlled.
<b>Site Plan</b>	 <p>The site plan shows a residential area with streets including RYE CROFT, BURY STANTONS LANE, and WEST CROFT. A specific site is highlighted with a red outline. The site is located between RYE CROFT and BURY STANTONS LANE. The plan also shows various residential plots and buildings, with some plots numbered (e.g., 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100). A scale bar indicates 112.5m.</p>


<b>Site Address</b>	Philips Park - Stable building & Orangery
<b>Site Size</b>	2944m <sup>2</sup>
<b>Service Use</b>	Leisure
<b>Notes</b>	Philips Park is an underutilised country park between Whitefield and Prestwich. There is a licensed tenant granted use of one of the stable blocks – “National Cycling Academy” (a private organisation). The buildings condition is not good – a fire years ago has caused instability. An existing community group maintains areas throughout the park on a voluntary capacity. - We have had several approaches from community groups to utilise the land.  Derelict building.
<b>Site Plan</b>	


<b>Site Address</b>	Outwood Radcliffe Banking
<b>Site Size</b>	994m <sup>2</sup> approx
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	

<b>Site Address</b>	Springside View (Part)
<b>Site Size</b>	540m2 approx
<b>Service Use</b>	Leisure
<b>Notes</b>	Residents using this part at the moment so perhaps sell to them
<b>Site Plan</b>	

<b>Site Address</b>	Sherringham Drive
<b>Site Size</b>	1515m2
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	

<b>Site Address</b>	Dereham Close No 2
<b>Site Size</b>	1290m2
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	

<b>Site Address</b>	Dereham Close No 9 + 11
<b>Site Size</b>	99m2
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	


<b>Site Address</b>	Holbeach Close Walkway
<b>Site Size</b>	763m2
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	 <p>An aerial photograph of a residential area. A specific plot of land is highlighted with a black outline and labeled with the number '2070'. The plot is situated between several other residential buildings and a road. The surrounding area includes various streets and green spaces.</p>

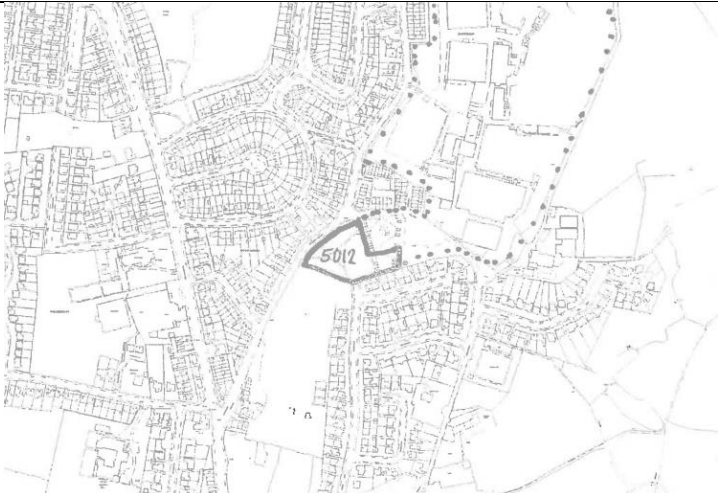
<b>Site Address</b>	Holland Street/North Street
<b>Site Size</b>	242m2
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	 <p>An aerial photograph of a residential area. A specific plot of land is highlighted with a black outline and labeled with the number '3177'. The plot is situated between several other residential buildings and a road. The surrounding area includes various streets and green spaces.</p>

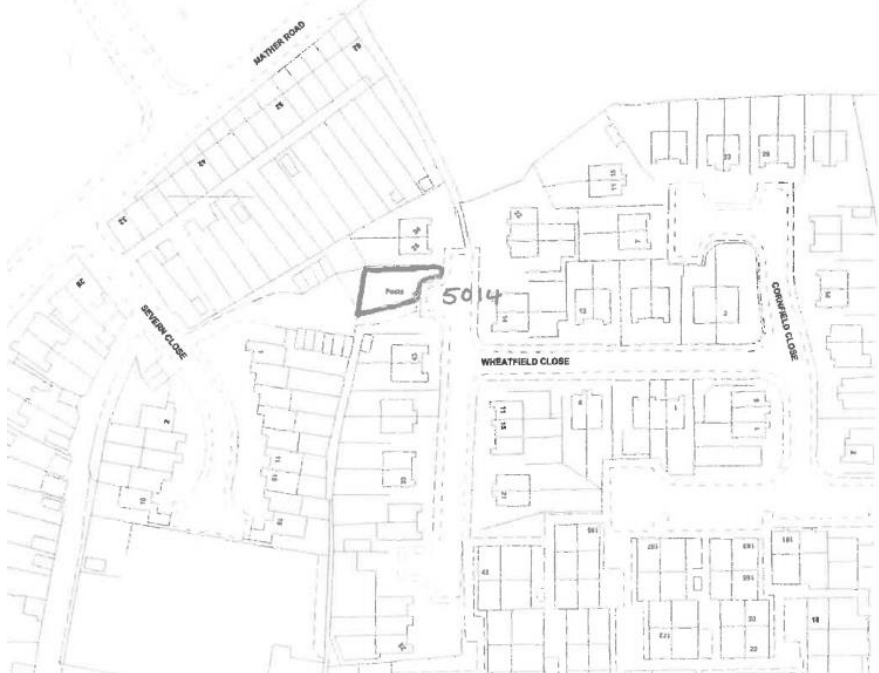
<b>Site Address</b>	Holland Street/Hutchinson Street
<b>Site Size</b>	1677m2
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	


<b>Site Address</b>	Dean Street
<b>Site Size</b>	1490m2
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	

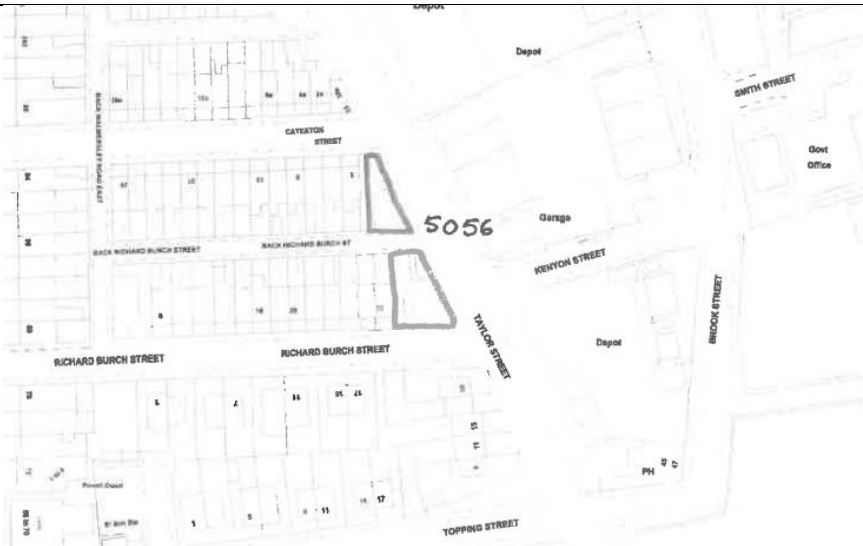


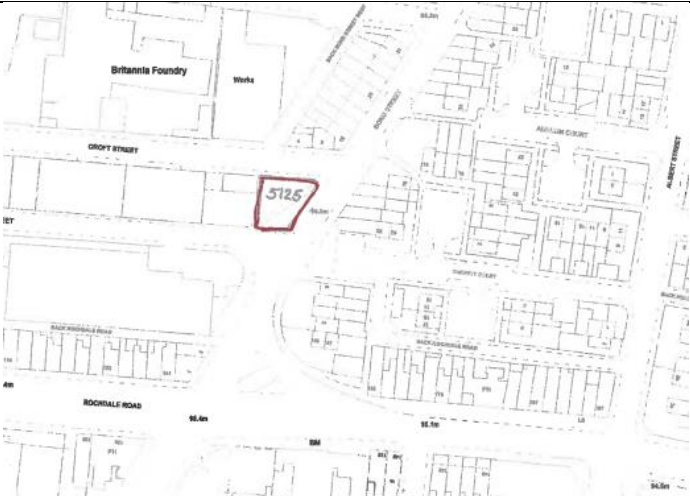
<b>Site Address</b>	Spring Lane Whittaker Street
<b>Site Size</b>	1939m <sup>2</sup>
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	


<b>Site Address</b>	Bevis Green
<b>Site Size</b>	3150m <sup>2</sup>
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	

<b>Site Address</b>	Barrett Estate Limefield
<b>Site Size</b>	291m2
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	 <p>The site plan map shows a residential area with streets including Mather Road, Wheatfield Close, and Limefield Close. A specific site is highlighted with a black outline and labeled '5014' and 'Pole'. The map also shows various house numbers and building footprints.</p>

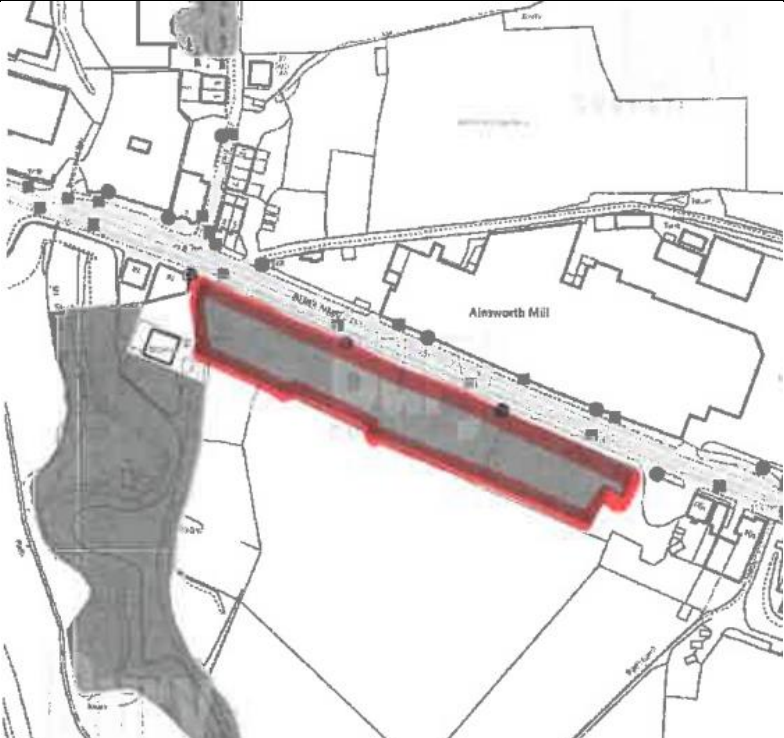
<b>Site Address</b>	Greengate Lane/Warwick Street
<b>Site Size</b>	188m2
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	 <p>The site plan map shows a residential area with streets including Greengate Lane, Warwick Street, and Ash Lee Court. A specific site is highlighted with a black outline. The map also shows various house numbers and building footprints.</p>

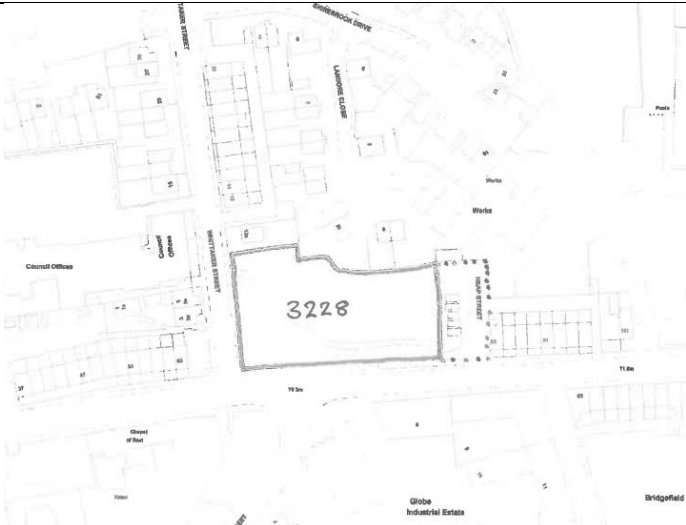
Site Address	Richard Birch Street/Taylor Street
Site Size	325m2
Service Use	Leisure
Notes	
Site Plan	

Site Address	Bond Street/Queen Street
Site Size	316m2
Service Use	Leisure
Notes	
Site Plan	

Site Address	Back Laurel St, East Bury
Site Size	76m2
Service Use	Leisure
Notes	
Site Plan	


Site Address	Salford Street
Site Size	2309m2
Service Use	Leisure
Notes	
Site Plan	

<b>Site Address</b>	Bury New Rd Brightonmet
<b>Site Size</b>	5040m2
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	

<b>Site Address</b>	Shirebrook Drive/Whittaker Street
<b>Site Size</b>	176m2
<b>Service Use</b>	Leisure
<b>Notes</b>	
<b>Site Plan</b>	

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APPENDIX B – POTENTIAL SITES

<b>Site Address</b>	Additional Land between Fern Street Garage and Peel Brow
<b>Site Size</b>	8011m <sup>2</sup>
<b>Service Use</b>	Part fmr Garage Site, Part Leisure Services
<b>Notes</b>	
<b>Site Plan</b>	

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**Minutes of: CABINET**

**Date of Meeting:** 30 June 2021

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**CA.94 ACCELERATED LAND AND PROPERTY DISPOSALS PROGRAMME - PHASE 2**

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which identifies the list of sites for Phase 2 of the Accelerated Land and Property Disposals Programme and sought approval for the property asset disposals. The Leader advised that although there was the opportunity for significant capital receipts, this had to be balanced with social value and, as such, the Disposals Programme included significant community and Ward Member engagement on the options for each site.

In response to Members' questions, it was noted that community groups and local sports associations were working with the Council regarding the options for Philips Park, and more information on the site would be provided when available. With regards to how sites would be marketed, it was noted this was dependent on the merits and specifics of each site, Some would not be appropriate for housing and local groups might be able to take on smaller plots for community use. It was reiterated that all options would be reviewed in conjunction with Ward Members and the local community.

**Decision:**

That Cabinet:

1. Approve the disposal of the Phase 2 property assets that are surplus to requirements.
2. Approve the inclusion of additional land to 1 site from the Phase 1 list.
3. Accept that the Brownfield Housing Fund will assist with disposal options for the sites identified as housing development sites.

**Reasons for the decision:**

There are limited Council resources to deal with the constant requests from individuals or third parties looking for opportunities to purchase our property assets. Phase 2 will continue the programme to bring in the required resources to comprehensively allow the Council to dispose of its chosen property assets in a strategic and co-ordinated way, and via a manageable phased approach.

There is a cost to maintain the Council's assets and failure to manage them properly could cause a potential health and safety risk, as well as a reputational risk to the Council as the landowner.

**Other options considered and rejected:**

None. There is a cost to maintain the Council's assets and failure to manage them properly could cause a potential health and safety risk, as well as a reputational risk to the Council as the landowner.

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**To: CHIEF EXECUTIVE** **For Urgent Delivery**  
 For the immediate attention of the Democratic Services Manager, Corporate Core, Town Hall, Bury

**From: COUNCILLOR NICHOLAS JONES**

## NOTICE OF 'CALL-IN' OF A LEADER/CABINET MEMBER DECISION

in accordance with the Overview and Scrutiny Procedure Rules in the Council Constitution

**Scrutiny Committee within 5 clear working days of the receipt of this Notice.**

### DECISION TO BE CALLED IN:

<b>DECISION TAKER</b>	<b>Yes Or No</b>		
		<b>Meeting Date:</b>	<b>Minute No:</b>
<b>Leader/Cabinet Member Decision</b>	<b>YES</b>	<b>30<sup>TH</sup> JUNE 2021</b>	<b>CA.94</b>
<b>Officer Key Decision</b>			
<b>Subject of Decision:</b> <b>Accelerated Land and Property Disposals Programme Phase 2</b>			
<b>Reason for 'Call-In'</b> The below signed Councillors would like the above Cabinet item to be 'Called In' for further scrutiny to understand the reasoning behind the locations chosen for phase 2, further scrutiny of the plans and an understanding of what the future of each individual site is.  There needs to be assurance around the sites for community value vs capital receipts for the Council as well as an understanding which sites the Council intend to use for housing. PTO			

### DECISION CALLED IN BY:

(Any 8 Members or the Chair or any 2 or more Members of the appropriate Scrutiny Committee)

Name of Councillor	Signature
1. Nicholas Jones	
2. Paul Cropper	
3. Jackie Harris	
4. Roger Brown	
5. Jo Lancaster	
6. Yvonne Wright	
7. James Mason	
8. Mike Smith	

Note: This notice to be sent to the Chief Executive or the Democratic Services Manager only or by e-mail to [Julie.gallagher@bury.gov.uk](mailto:Julie.gallagher@bury.gov.uk)

## Reason for 'Call-In' (continued)

The Cabinet report stated that individual Ward Councillors had been consulted on the above item but to date this has not happened for all sites.

The Call In is requested in line with the Council Constitution

*4.5.65. Call in is not intended to be a mechanism for voicing objection to or dislike of any particular decision. It should only be used in exceptional circumstances and where there is evidence to show that one of the following may apply:*

- (a) that there has been inadequate consultation with stakeholders prior to the decision being made;
- (b) that there was inadequate evidence or information on which to base a decision and that not all relevant matters were fully taken into account;