

Minutes of: CABINET

Date of Meeting: 15th April 2026

Present: Councillor E O'Brien (in the Chair)
Councillors C Cummins, R Gold, C Morris, A Quinn, L Smith and S Walmsley

Also in attendance: Councillors M Smith and R Bernstein

Public Attendance: 9 members of the public were present at the meeting.

CA.1 APOLOGIES FOR ABSENCE

Apologies for absence had been submitted by Councillors T Tariq and S Thorpe.

CA.2 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA.3 PUBLIC QUESTION TIME

A written question regarding cumulative traffic impact had been received by a member of the public, Joanna Britton, who was unable to attend and as such Members agreed that a written response to his question would be sent.

The following question was submitted in advance of the meeting by members of the public, James and Tracey Tierney:

Can the Council confirm the exact geographical parcels within allocation JPA1.2 where the first phase of 90 homes is proposed and state whether these parcels are subject to any known constraints relating to flooding risk, drainage capacity or access limitations.

Responding, Councillor O'Brien reported the Simister Bowlee Development Framework included an indicative masterplan and this includes an approach to the phasing of development within the site. However, the exact phasing of the site will be dependent on detailed information that will be required as part of a future planning application.

The reference to a first phase of 90 homes has been taken from the Five-Year Supply Statement 2025 which provides an indicative assessment of the amount of housing that is expected to be delivered on identified sites across the Borough over the next five years. The 2025 Statement states that the Simister Bowlee site promoters have indicated that the first completions will be in 2028/29 and a total of 90 dwellings will be completed within the next five years (1 April 2025 - 31 March 2030).

The Five-Year Supply Statements are updated on an annual basis and reflect the latest information on all housing sites across the Borough. Future updates will reflect the sites progress through the planning process, including information relating to future planning applications.

All planning applications will need to be supported by detailed and up-to-date evidence on a wide range of matters including detailed assessments of drainage capacity, flood risk and issues relating to transport.

A further supplementary question was submitted:

All the homes in the area are on septic tanks and don't use the main sewage system, there is no infrastructure on the boundary where the development is being built, what will happen to the homes on septic tanks and not mains sewage?

Responding, Councillor O'Brien stated the Council does not hold, and is not legally required to hold, a definitive register of all properties using private septic tanks or other non mains sewage systems within the borough. The legal responsibility for a septic tank or small sewage treatment plant rests with the "operator" of the system, who in most cases is the property owner. A developer in an application would have to state how they would deal with drainage and connecting to existing infrastructure.

The Council would determine this when applications are submitted. If the scheme was deemed unsatisfactory then a scheme may not be recommended for approval. The Council would try and work with the developer and local residents to ensure that existing arrangements are not interrupted and the proposals have the adequate infrastructure. At this stage, full details of drainage schemes are unknown but this would be presented as part of the planning process and be judged accordingly.

A written question regarding septic tanks on Heywood Old Road and parts of Simister had been received by a member of the public, Peter Rourke, who was unable to attend and as such Members agreed that a written response to his question would be sent.

The following question was submitted in advance of the meeting by a member of the public, Danielle Davies:

Regarding the first phase of 90 homes, what is the confirmed strategy for foul drainage? Specifically, will sewage be managed via a gravity-fed system into the existing network, or will a new pumping station be required? If the latter, where is the proposed location for this infrastructure?

Responding, Councillor O'Brien as mentioned previously, the reference to a first phase of 90 homes had been taken from the 5 Year Supply Statement 2025 which provides an indicative assessment of the amount of housing that is expected to be delivered on identified sites across the Borough over the next five years.

The 2025 Statement states that the Simister Bowlee site promoters have indicated that the first completions will be in 2028/29 and a total of 90 dwellings will be completed within the next within the next five years (1 April 2025 - 31 March 2030). The figures are subject to change and have not been granted planning permission.

When planning applications are submitted within the allocation, these will need to be supported by much more detailed and up-to-date evidence on a wide range of matters, including detailed assessments of drainage.

A further supplementary question was submitted:

When the smart motorway was built around the area, some residents had their septic tanks dropped and split which cost residents from their own pocket, what would the Council and developers do for that with the amount of homes being put on the area over a number of years. There will be a lot strain with HGV's on Heywood Old Road and parts of Simister, there will be septic tanks that get damaged as they have been there a long time. Will there be yearly maintenance provided for residents?

Councillor O'Brien clarified if the damage caused was from the construction or use of the motorway and Ms Davies communicated that residents have said it was from both. She had not lived in the area long but thought residents should be communicated with.

Councillor O'Brien stated that he would ask the planning department to explore if a baseline could be implemented before any work happens to enable communications with the developers that if there was damage to a property, what the response may be.

There are processes as a result of damage in both small and large scale developments and he would ask officers for a briefing on this and provide a written follow up response on this in relation to septic tank damage as a result of development and what are the legal implications and how we can prevent and safeguard this.

The following question was submitted in advance of the meeting by a member of the public, Amanda Foster:

In the July 2021 JPA 1.2 Simister and Bowlee Topic Paper, the Council published a housing trajectory showing early-years delivery of around 170 homes in the first five years of the plan period. This was presented as part of the evidence base to demonstrate deliverability and was balanced against Green Belt harm when making the case for "exceptional circumstances" to release the land from the Green Belt.

However, the Council's own 5 Year Housing Land Supply Statement (November 2025) now shows promoters revising first completions to 2028/29, with only 90 dwellings expected in the next five years - a reduction of approximately 47%.

If the early delivery assumptions in the 2021 Topic Paper have proven so unreliable (as demonstrated by the promoters' own revised trajectories in the Councils' 5YHLS statements), why were they used to help justify taking land out of the Green Belt in the first place?

This appears to highlight a risk of optimism bias in the original evidence, which could undermine confidence in the exceptional circumstances case.

I acknowledge that housing trajectories are promoter-led and can be subject to change, and that the overall housing need across Greater Manchester remains pressing. However, for a strategic Green Belt release of this scale and sensitivity, it is essential that assumptions remain realistic and that infrastructure constraints (including drainage, flood risks and cumulative traffic) are fully resolved with up-to-date evidence.

Will Cabinet therefore commission an immediate independent review of the site's deliverability before progressing further with the adoption of the Development Framework SPD or determining any planning applications?

Responding, Councillor O'Brien stated that during the examination of Places for Everyone, the Inspectors concluded that the new homes proposed at Simister Bowlee will deliver significant social and economic benefits on a well-located site in accordance with the Plan's overall spatial strategy.

They were satisfied that those benefits would outweigh the harm that would be caused to the Green Belt and that, on balance, there are exceptional circumstances to justify removing land from the Green Belt.

The Inspectors' considerations assessed the benefits of the site as a whole and their conclusions were not based on delivery rates.

Housing trajectories can change over time but this does not undermine the principle of removing the site from the Green Belt and allocating it for housing.

As such, it was not necessary to commission an independent review of the site's deliverability.

A further supplementary question was submitted:

Given the downward provision in anticipated delivery what mechanisms are in place to independently test the realism of promoter led delivery. How will future plan making and decision making not be overly dependent on promoter led assumptions especially when used to promote exceptional circumstances for green belt release.

Responding, Councillor O'Brien stated a judgement would be made on each case and a challenge for strategic sites was that they take time to come forward. Many details change from a scheme being submitted through to delivery. Consideration must be given if a scheme is deliverable and tested via the planning inspectorate which are independent. Plans are scrutinised over a long period of time looking at evidence which they have approved at this initial stage giving the confidence to continue. Working with developers must continue to support infrastructure and when land is released for housing its done for good use and purpose without excessive disruption to local areas. Every year all sites are reviewed and adjustments on expectations for supply can change.

A written question regarding highway safety on the A6045 had been received by a member of the public, Lindsey Bothwell, who was unable to attend and as such Members agreed that a written response to his question would be sent.

A written question regarding the Prestwich redevelopment had been received by a member of the public, Andrew Kilpatrick, who was unable to attend and as such Members agreed that a written response to his question would be sent.

The following question was submitted in advance of the meeting by a member of the public, Helene Lees:

Will the Council confirm that no planning approval or progression of development at JPA1.2 will take place until full and up-to-date evidence on drainage, flooding, and transport impacts has been completed and made publicly available?

Responding, Councillor O'Brien, the current stage of the planning process is the production of the Simister Bowlee Development Framework and this is still at a strategic level. The scope and detail of the evidence currently available is proportionate to this type of document.

However, as the proposals for the site develop into more detailed planning applications, these will need to be supported by much more detailed and up-to-date evidence on a wide range of matters, including detailed assessments of drainage, flood risk and transport.

These will be a key part of the formal consultation on planning applications and will therefore be publicly available for comment.

The strategic elements of the plan will continue at present around framework but all information and details will be made available once that stage of the process was reached.

A further supplementary question was submitted:

Whilst there was a need for housing, those planned are not needed with a development in Birch not selling and this should be a consideration for even starting this project when this does not help the public. The development needed to be the correct type of housing with

£300,000 to £500,000 priced homes not acceptable. The Council should consider all of this including infrastructure and her road was already busy and dangerous.

Responding, Councillor O'Brien stated that affordability can sometimes be missed but the types of properties have to be a mix. In recent years the Council in partnership had delivered a number of social homes with plans for more. Decent and quality homes are required which are affordable and this was a challenge at the moment. There are ways to influence the market and the Government, Home England and the Mayor of Greater Manchester can be worked with. Some people at the moment accept poor quality housing at a cost to get on the property ladders. The Council would try and help provide a range of houses that are suitable and affordable.

Due to limited time permitting, other members of the public in attendance were invited to ask questions.

The following question was asked by a member of the public, Mr Peter Judge:

In relation to flood risk and climate data, the places for everyone evidence relies on historical flood data, when will the Council publish an updated strategic flood risk assessment that incorporates the 2024-25 peak rainfall data and how this would influence the site layout for the first 90 houses.

Responding, Councillor O'Brien agreed that flooding and rainfall was creating a challenge for the existing infrastructure any development must consider sustainable drainage some of which has been implemented in the borough. Future developments could be more sustainable than they are at present via rainwater catchment and permeable surfaces. The data to inform and influence decisions would be sourced via the Environment Agency around flood zone risks.

When the detailed planning application for the site was considered that information would be accurate and up to date taking into account drainage, rainfall and flood risk.

Councillor O'Brien would provide a specific update on the data element of the question and provide a written follow up response in due course.

Councillor Alan Quinn, the Cabinet Member for Environment, Climate Change and Operations added that the Environment Agency have remodelled water flows from previous data and this had been updated in recent schemes. The flood water management act introduced in Wales made it mandatory for developers to install sustainable drainage. Current infrastructure struggles with adverse weather caused by climate change. He drew attention to checks not being undertaken on developments linking into existing United Utility networks causing problems and the system being overwhelmed. He was hopeful the Government could introduce sustainable systems via the National Planning Policy Framework.

The following question was asked by a member of the public, Daniel Jacobs:

This question is for Lynne Ridsdale, in 2021 the Cabinet provided a bail out to capital partners to buy the Millgate. The purchase had impacted the Council over time disposing of assets and stopping marketing them. He believed this had created a financial hole and wanted to know the full financial picture as a result. The Council's DPO had emailed him confirming the figure was held of how large the purchase was. Could you confirm a commitment to release the figures to reveal the financial mess and if not, why wont the figures be released?

Responding, as Leader of the Council, Councillor O'Brien stated it was not for the Chief Executive to justify decisions as it was his responsibility as Leader of the Council.

He stated the Millgate was bought and not bailed out. The site was purchased by the Council when it was on the market. It was purchased as part of a joint venture and subject to commercial responsibilities details would follow. He disputed the question that it has caused financial problems for the Council and the Millgate was one of the best performing shopping centres across both Greater Manchester and nationwide. Footfall was just under pre-Covid levels and it was a good asset contributing to its own running and parts are still marketed with new tenants.

It was purchased as part of a development opportunity due to it being an important part of the town centre strategy. With footfall potentially decreasing it gave the Council more control over any changes rather than any managed decline. It was a good asset for the authority with more potential.

A separate discussion took place on the high number of freedom of information requests submitted by Mr Jacobs over the past 18 months which were over 70 in total not including subject access requests. The latest request from Mr Jacob's were being administered at present.

The Chief Executive commented that the latest FOI request would have go via the Council's joint venture which added to the complexity of the request due to the commercial partnership with a private sector partner.

CA.4 MEMBER QUESTION TIME

There were no Member questions.

CA.5 MINUTES

It was agreed:

That the minutes of the Cabinet meeting held on the 11th March 2026 be approved as an accurate record.

CA.6 CORPORATE PLAN 2026-27

The Leader and Cabinet Member for Strategic Growth presented the Corporate Plan 2026/27 on behalf of the Deputy Leader and Cabinet Member for Finance and Transformation.

In 2020 the ambitious LET'S do it! Community Strategy for Bury was launched, setting out a vision for the borough through to 2030: to stand out as a place that is achieving faster economic growth than the national average, with lower than national average levels of deprivation.

Since then, both Bury Council and the wider Team Bury Partnership have worked together to transform their collective response to public service reform and to increase focus on the seven high level outcomes committed to within the Strategy. There is now a much stronger "golden thread" that binds the collective endeavour across the partnership.

The 2026/27 Corporate Plan sets out the Council's strategic priorities and delivery objectives for the financial year and our role in delivering the overarching vision of the borough's LET'S do it! Community Strategy.

The Corporate Plan has been designed to continue to reflect three central priorities and key enabling functions with a streamlined set of objectives. The three priorities: Improving Childrens Lives, Driving Inclusive Growth and Tackling Inequalities overlay the "business as

usual” departmental functions which are described separately in service planning documents. In addition, key enabler objectives are described which support the significant transformation agenda that the organisation has planned over the next 12 months alongside the continuing improvement work to be monitored through the Governance and Assurance Board.

Decision:

Cabinet:

Approved the Corporate Plan for 2026/27 and accompanying draft key performance indicators and therefore approving the strategic priorities and delivery objectives for the year.

Reasons for the decision:

To set the strategic vision of the organisation for the next year and enable transparency and robust monitoring of performance and delivery of the Corporate Plan and associated improvement activity.

Alternative options considered and rejected:

Not applicable

CA.7 SHORT BREAKS REVIEW - CHILDREN WITH DISABILITIES

The Deputy Leader and Cabinet Member for Children and Young People presented a report seeking approval to progress the recommissioning of Bury's Short Breaks Service. The proposed model aims to strengthen early intervention, increase flexibility, and deliver a more responsive, outcomes-focused service aligned to the changing SEND demand in Bury. Early provider market engagement will inform a sustainable, inclusive, and high-quality model underpinned by a fair pricing framework.

Social Emotional Mental Health difficulties (SEMH), Autism Spectrum Disorder (ASD), Moderate Learning Disability, and Specific Learning Disability account for over 80% of current SEND need. Parent and carer feedback is broadly positive but consistently highlights the need for more flexible, needs-led provision and improved community-based access. The current offer faces capacity pressures and does not fully reflect the diversity of presenting need.

Decision:

Cabinet:

1. Approved the redesign of the Short Breaks model to create a more flexible, strengths-based and outcomes-focused offer.
2. Approved the commencement of a structured market and stakeholder engagement exercise, in compliance with the Procurement Act 2023.
3. Authorised an extension of the existing principal Short Breaks contract dated 1st September 2021 with Action for Children Services Limited – company number 02332388, by a further 8 months until 31 March 2027 (from current expiry of 31 August 2026) to ensure service continuity during the engagement and procurement development period.
4. Noted that final model proposals, full financial appraisal, and contract award recommendations will be brought to Cabinet for approval following the engagement phase

Reasons for decisions:

Service delivery was currently concentrated with one principal provider, supplemented by three further commissioned providers and Direct Payments. Financial analysis shows substantial unit cost variation, from £6,764 (Direct Payments) to £21,378 (highest-cost provider), against a 2025/26 budget of £2.4m with a projected £28,000 overspend.

The current principal contract expires on the 31st August 2026. The provider, Action for Children Services Limited, has provisionally agreed to extend by a further 8 months to 31 March 2027, supporting a thorough engagement process. This extension is anticipated to be permissible under PA23 as a non-substantial modification that does not significantly alter the scope or economic balance of the contract.

The engagement phase will be cost-neutral, managed within existing resources. A full financial appraisal will accompany the final model recommendation.

Alternative options considered and rejected:

1. Maintain current model

Advantage- No additional procurement resource required.

Disadvantage- Reduced capacity, rising costs, market fragility, procurement compliance risk. Not recommended.

2. Redesign without engagement

Advantage- Faster to implement initially.

Disadvantage- No market intelligence; high risk of undeliverable or unaffordable model. Not recommended.

3. Redesign through structured engagement (Preferred)

Advantage- Informed by market capability; supports sustainability and improved outcomes.

Disadvantage- Requires time and resource investment during engagement phase.

CA.8 PROCUREMENT FOR REPAIRS AND MAINTENANCE FRAMEWORK

The Cabinet Member for Housing Services presented a report seeking approval to proceed with a full procurement to establish the Council's own Framework for Repairs and Maintenance services ("Repairs and Maintenance Framework"), in compliance with the Procurement Act 2023. The Repairs and Maintenance Framework will be structured into two broad Repairs and Maintenance Lots. This package is designed to have less lots with 1 to 2 main repairs and maintenance contractors delivering a wider range of services under a 'General Building' Lot. The second lot is for 'Specialist Services' and is broken down into 7 individual sub lots covering electrical repairs, aids & adaptations, drainage, glazing, painting, pest control and scaffolding.

The Repairs and Maintenance Framework is projected to have an estimated spend of circa £4-5 million over the life of the framework which is 4 years. The framework will have a greater emphasis on social value outcomes and SME participation. The procurement is scheduled to be concluded in July 2026. Following this, a subsequent Cabinet report accompanied by an Award Report providing a full audit on the tender process will be presented to seek approval for awarding the Repairs and Maintenance Framework.

Decision:

Cabinet:

Approved the procurement and development of the Repairs and Maintenance Framework for housing repairs and maintenance service.

Reasons for decision:

To maintain compliance with statutory obligations of the Procurement Act 2023 and ensures principles are fairness, transparency, value for money, and accountability.

Bury Council must urgently prioritise value for money in the repairs and maintenance budgets by significantly reducing uncontrolled spending. In doing so seeks the best balance of cost, quality, long-term performance and lifecycle value for repairs and maintenance works.

A full tender issued with Bury Council designing lots to reflect service needs and then publicly advertising the contract. This is to accommodate incumbent suppliers and give fair opportunities for local and regional contractors to tender.

Alternative options considered and rejected:

Use external Frameworks to source Bury's requirements

Rejected: Framework providers typically apply a minimum 2-3% management fee. On a projected framework value of £5 million, this would amount to approximately £100,000 - £150,000, a cost the Council would avoid by delivering the framework directly. In addition, such Frameworks have limited influence over framework terms and pricing models, and SME representation at framework level is often low.

Councillor M. Smith queried how local SME's could be attracted if they had no previous dealings and where would they find these contracts.

In response, the Cabinet Member for Housing Services described the procurement pathways available with more engagement making partnership working better which included medium sized enterprises.

CA.9 URGENT BUSINESS

There was no urgent business reported.

COUNCILLOR E O'BRIEN
Chair

(Note: The meeting started at 6.00pm and ended at 6.55pm)