

Report to:	Cabinet	Date: 14 October 2026
Subject:	Grant of new Lease for Elms Bank College at St Monica's	
Report of	Cabinet Member for Children and Young People	

Summary

1. Oak Learning Partnership (OLP) currently lease the former St Monica's Sixth form buildings in Prestwich from Salford Roman Catholic Diocesan Trustees (StoC) for the provision of post 16 SEN teaching, known as Elms Bank College Hub. The lease is for period of 5 years expiring on 25 August 2027.
2. There is currently a separate Deed of Indemnity between the Council and OLP. Whereby the council underwrite all costs incurred by OLP, including rents, for the running of the Elms Bank College.
3. Following discussions with StoC, terms have been agreed for a new 8 year lease of the college buildings with effect from 1 September 2026
4. The grant of the new lease will allow the Council and OLP a 5 year period to plan for the longer-term provision of the post 16 SEN provision.

Recommendation(s)

5. That Cabinet:
 - a. Approve the current heads of terms for the grant of the new lease and associated indemnity agreement
 - b. Delegate any minor variations to the final heads of terms or Indemnity Agreement to the Assistant Director of Corporate Assets and Facilities Management.
 - c. Delegate the signing of the lease, Indemnity Agreement and any associated documents to Councils Monitoring Officer.

Reasons for recommendation(s)

6. The grant of the new lease secures the operation of the Elms Bank College Hub without major capital expenditure for in the medium term.

Alternative options considered and rejected

7. Not to agree to the agreement to the new lease

- In this scenario the OLP would have to vacate the existing buildings in August 2027.
- The Council would need to secure a suitable site and spend several million pounds on modular accommodation to ensure provision could continue past August 2027.
- Without alternative provision OLP would in effect need to close the provision.
- As such, this option has been discounted.

Report Author and Contact Details:

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Background

8. Oak Learning Partnership (OLP) currently lease the former St Monica's Sixth form buildings in Prestwich from Salford Roman Catholic Diocesan Trustees/St Teresa of Calcutta Trust (StoC) for the provision of post 16 SEND teaching, known as Elms Bank College Hub. The lease is for period of 5 years expiring on 25 August 2027.
9. There is currently a separate Deed of Indemnity between the Council and OLP. Whereby the council underwrite all costs incurred by OLP, including rents, for the running of the Elms Bank College.

Current Position

10. Following extensive discussions with StoC, terms have been agreed for a new 8 year lease of the college buildings with effect from 1 September 2026. A copy of the agreed heads of terms is in Part B of this report.
11. The Council will continue to underwrite costs for the building during this period and a new Indemnity Agreement on similar terms to the current agreement between the Council and OLP will also be required.
12. The grant of the new lease will allow the Council and OLP a 5 year period to plan for the longer-term provision of the post 16 SEN provision in dialogue with StoC and in accordance with the SEND Sufficiency Strategy.

13. The Bury SEND Sufficiency Strategy 2026–2030 sets out how the Council will meet its statutory duty to secure sufficient, appropriate educational provision for children and young people with special educational needs and disabilities (SEND), including those requiring alternative provision (AP) and education otherwise than at school (EOTAS).
14. The Strategy seeks to strengthen post-16 sufficiency and preparation for adulthood.
15. The local authority will work with colleges, training providers and partners to expand and strengthen post 16 pathways for young people with SEND. This includes improving access to local specialist provision, supported internships, apprenticeships, functional skills and reengagement programmes.
16. The aim is to ensure that young people are supported to progress into meaningful education, training or employment, with reduced reliance on alternative and independent provision and improved outcomes into adulthood.

Links with the Corporate Priorities:

Please summarise how this links to the Let's Do It Strategy.

17. Securing the medium term post 16 SEND provision at Elms Bank College hub will enable young people with SEND to continue their education in local provision, promoting inclusion, educational achievement and further opportunities.
18. The LA will continue to develop partnerships with all schools and colleges to ensure the right places, facilities and opportunities are available into the future for local children and young people.
19. The DfE Experts at Hand guidance stresses that the local authorities Experts at Hand model offer should “recognise the critical role of alternative provision and specialist settings within an inclusive system. High-quality AP and specialist settings are key partners in prevention, reintegration and supporting young people with more complex needs and their expertise should be deployed across the system.”

Equality Impact and Considerations:

20. This is an extension of current arrangements therefore no equality impacts are expected to arise from this activity
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Environmental Impact and Considerations:

21. There are no environmental impacts with this decision.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
StoC do not approve the grant of the new lease	There is ongoing dialogue with StoC to ensure that this risk is minimised

Procurement Implications:

22. As per the body of the report

Legal Implications:

23. As the Council is not a party to the proposed lease, its financial commitment must be documented separately by way of a variation or replacement of the existing Deed of Indemnity with Oak Learning Partnership. The existing Deed of Indemnity must be reviewed by Legal Services to ensure that it clearly defines the extent and duration of the Council's liability and reflects the terms approved in this report.

The heads of terms are subject to contract and do not create a binding lease. Any delegated authority to vary them should be limited to non-material changes which do not materially increase the Council's financial exposure

Financial Implications:

24. The financial implications are detailed in the Part B report.

Appendices:

None

Background papers:

None

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

Term	Meaning
SEND	Special Educational Needs & Disabilities