

C82 - Objections to the proposed disposal of Public Open Space - Land on the North Side of Milton Road, Radcliffe, Bury

The Leader advised that two members of the public, Jacqueline Daley and Elaina Daley, wished to raise questions concerning the proposed disposal. As they had been unable to attend the earlier public question session, the Leader permitted them to put their questions before Cabinet considered the report.

Elaina Daley referred to the number of bungalows in the vicinity and the needs of older and vulnerable residents. She asked how residents would be protected from any anti-social behaviour associated with a future use of the site. Jacqueline Daley asked how residents would be supported in relation to pupils travelling to and from any future educational provision.

Councillor Thorpe clarified that the item before Cabinet concerned only the proposed disposal of the land. He stated that pupils attending alternative provision should not be stereotyped and that specialist staff would support pupils if the proposed educational development progressed.

Councillor Walmsley similarly cautioned against stigma associated with alternative provision. She advised that the Council had not received complaints about its two existing alternative provision sites and that any future anti-social behaviour concerns would be addressed through the appropriate police and community safety arrangements. She also noted that any development would remain subject to the relevant planning and other approval processes.

The Leader confirmed that further decisions would be required before any development could take place. He undertook to maintain communication and provide opportunities for residents to engage as the proposals developed.

Councillor Thorpe introduced the report, which asked Cabinet to consider the objections received following the statutory advertisement of the proposed disposal of public open space on the north side of Milton Road, Radcliffe, and to determine whether the disposal should proceed.

Councillor Birchmore expressed concern that the report included the formal objections but did not reproduce the comments made at the separate engagement event held on 29 September 2026. She asked why there was no detailed report of attendance and feedback from that event; why the event appeared to focus on the proposed alternative provision rather than the disposal; why Cabinet Members had not attended; whether Cabinet Members had read the section 123 material; and how many had visited the site.

Councillor Thorpe responded that the attendance of education officers had enabled residents to obtain information about the possible future use of the site. He confirmed that he had not attended the event or previously visited the site, but was familiar with the location and had read the section 123 report. The Leader confirmed that he had visited the site on a number of occasions and acknowledged that discussion of the disposal and the proposed educational development, which was the next item on the agenda, could overlap.

The Monitoring Officer clarified that the statutory process under section 123(2A) of the Local Government Act 1972 was distinct from the later engagement event. She advised that the statutory advertisement had run from 27 August to 3 September 2026 and that the report set out the objections received during that period. The event held on 29 September 2026 was a separate pre-consultation engagement exercise concerning issues that could arise if the proposal progressed. A summary of the feedback from that event had been made available to Members.

Councillor Birchmore stated that attendees had signed in and attributed their comments, but that those comments had not been reproduced verbatim. She considered that the summary did not provide residents with sufficient assurance that their views had been heard. The Leader confirmed that the summary and the objections received during the statutory period had been provided and that the views and comments had been taken into account.

Councillor Birchmore referred to a question raised at the Council meeting on 16 September 2026 about the timing and transparency of the engagement event. She also referred to subsequent project reports dated 30 September and 5 October 2026 and asked what evidence demonstrated that the statutory objections had been individually assessed, how they had influenced the recommendations, and that Cabinet remained open-minded and had not predetermined the matter.

Councillor Thorpe responded that no decision had been made before Cabinet's consideration of the report. He advised that preparatory work had been undertaken in parallel to make effective use of time and resources, but that this did not determine the outcome of the disposal decision. He stated that the report enabled Cabinet to consider the objections before deciding whether the land should be made available for disposal. He also referred to the need to improve facilities for vulnerable children currently educated in sub-optimal accommodation.

Councillor Rydeheard referred to residents' concerns about the pace of the process and the number of representations relating to the loss of green space. He asked how those concerns had been taken into account and what consideration had been given to residents' access to alternative open space.

Councillor Thorpe stated that the Council should progress its objectives promptly where possible. He acknowledged concerns that other nearby areas of public open space might be less accessible because of distance or safety and stated that Cabinet was required to balance the loss of public open space against the need to provide suitable facilities for children in the borough.

Councillor L Smith advised that work was under way to review the borough's parks and open spaces, including their public health, biodiversity and community value, to support appropriate provision and maintenance across the borough. Following a further question from Councillor Rydeheard about the effect of losing this particular area of land, Councillor Thorpe undertook to provide further detail.

Cabinet noted that the decision before it concerned the proposed disposal of public open space. It did not itself grant planning permission or finally approve the proposed educational development, which was considered separately under the following agenda item and remained subject to the relevant statutory and approval processes.

Decision(s)

Cabinet:

1. considered the objections received in response to the statutory advertisement of the proposed disposal of the public open space shown edged red on the plan at Appendix 1, together with the officer analysis and the additional information made available following the engagement event held on 29 September 2026; and

2. having taken those matters into account, resolved to proceed with the proposed disposal of the land.

Reasons for decision(s)

- Cabinet considered the objections relating to the loss of public open space and the matters raised concerning accessibility, amenity and the availability of alternative open space. Having balanced those matters against the reasons for making the land available for the proposed educational development, Cabinet concluded that the disposal should proceed. The decision concerned the proposed disposal of the land and did not determine any subsequent planning application.

Alternative options considered and rejected

- Not to proceed with the proposed disposal. This option was rejected after Cabinet had considered the statutory objections, the officer analysis and had balanced the identified loss of public open space against the reasons for making the site available for the proposed educational development.