Classification:	Decision Type:
Open	Key

Report to:	Cabinet	**Date:** 14 October 2026
Subject:	Objections to the proposed disposal of Public Open Space – Land on the North Side of Milton Road, Radcliffe, Bury	
Report of	Deputy Leader and Cabinet Member for Finance and Corporate Services	

Summary

1. The report provides details of the objections received to the proposed disposal of Public Open Space (POS) of land on the North Side of Milton Road, Radcliffe, Bury

2. The extent of the land concerned is shown edged red on the plan contained within Appendix 1 to this report.

Recommendation(s)

3. Cabinet is asked to consider the responses received to the consultation and resolved to proceed with the disposal of the POS as shown edged red on the attached plan in Appendix 1.

Reasons for recommendation

4. Approval to the disposal of the land which will make the land available for the Council to dispose of.

Alternative options considered and rejected

5. Not to approve the disposal of the land as recommended.

Report Author and Contact Details:

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Background

6. This report refers to a plot of land to the North Side of Milton Road, Radcliffe, Bury as shown edged red on the plan shown in Appendix 1. The land comprises of an area of approximately 14,685 square metres.

7. The land is managed by the Council's Leisure Services and is currently vacant.

8. Sections 123(2A) and 127(3) of the Local Government Act 1972 and section 233(4) of the Town and Country Planning Act 1990 ('the 1990 Act') require a local authority wishing to dispose of open space under those powers to advertise its intentions in a local newspaper for two consecutive weeks and to consider objections.

9. Notices advertising the intention to dispose of POS were placed in editions of the Bury Times on 27 August 2026 and 3 September 2026 with a closing date for objections of 24 September 2026. Local Ward Councillors were informed that the advertisements were to be placed in the Bury Times on 26 August 2026.

10. A total of 20 objections to the POS have been received for the disposal of the Site and are included in Appendix 2.

11. For the purposes of this report, the objections been grouped by theme. Some responders raised multiple points of objection. The different themes/issues have been set out in the table below.

Summary of Objections

Objection category		Bury Council's Comment
Loss of Public Open Space or community asset	**18**	There are other nearby areas for of open space, including: Bolton Road Park, Red Bank Nature Reserve, Red Bank Playing Fields and other areas of open spaces within nearby housing estates.
Health, wellbeing, access or equality	**16**	There are other nearby areas for recreational use, including: Bolton Road Park, Red Bank Nature Reserve, Red Bank Playing Fields and other areas of open spaces within nearby housing estates.
Alternative sites or site-selection concerns	**16**	These objections refer to the potential future use of the site not its disposal, which the subject of this report.
Biodiversity, green infrastructure or drainage	**13**	These issues will be considered should a planning application for development on the site be brought forward.
Safety, traffic, parking, noise or infrastructure	**12**	These issues will be considered should a planning application for development on the site be brought forward.
Deprivation or households without gardens	**11**	There are other nearby areas for green spaces, including: Bolton Road Park, Red Bank Nature Reserve, Red Bank Playing Fields and other areas of open spaces within local housing estates.
Loss of current community planting	**1**	This issue will be considered and alternative provision sought should the site be brought forward for disposal.
Local Plan issues	**1**	This is noted, but is a separate issue not relevant to this report

Objection category		Bury Council's Comment
Mining or ground-stability risk	**1**	These issues will be considered should a planning application for development on the site be brought forward.
Concern about housing, flats or HMO use	**1**	These issues will be considered should a planning application for development on the site be brought forward.
Counting note: Categories overlap because an objection may raise more than one issue.		

12. Many of the objections relate to the potential unknown future use of the site and are not relevant to this decision which is solely to approve the disposal of the POS. These range from: infrastructural, environmental, structural risks, potential damage to health and wellbeing, loss of green infrastructure and the risk to community safety.

13. Any future proposals to build on the site will require planning permission and there will be the opportunity for the public to make comments on any proposals that come forward at this stage. These issues will therefore fall to be considered at the planning stage.

14. Members are requested to consider the objections and balance the loss of Public Open Space for members of the public who use it for recreational purposes.

Links with the Corporate Priorities:

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

Not applicable as the POS notices are a procedural requirement. Any future disposal would be subject to a future cabinet report.

Equality Impact and Considerations:

*Please provide an explanation of the outcome(s) of an initial or full EIA and make **specific reference regarding the protected characteristic of Looked After Children**. There must be a signed off EIA template appended with a full analysis or explanation as to why an analysis is not needed for the report to be put forward to Cabinet. Sign off to be completed by the Council's Equality, Diversity and Inclusion (EDI) Manager (contact l.cawley@bury.gov.uk for advice).*

Not applicable as the POS notices are a procedural requirement. Any future disposal would be subject to a future cabinet report.

Environmental Impact and Considerations:

Please provide an explanation of the Environmental impact of this decision. Please include the impact on both ***Carbon emissions*** *(contact climate@bury.gov.uk for advice) and* ***Biodiversity*** *(contact S.Tinsley@bury.gov.uk and Dennis.whittle@bury.gov.uk for advice)*

Not applicable as the POS notices are a procedural requirement. Any future development would be considered as part of a planning application.

Assessment and Mitigation of Risk:

Not applicable as the POS notices are a procedural requirement. Any future disposal would be subject to a future cabinet report.

Procurement Implications:

There are no procurement implications

Legal Implications:

It is a legal requirement that the Council must advertise its intention to dispose of the land and invite public objections. Cabinet should have regard to the objections and give them open minded consideration. This appendix to this report sets out all objections received, as they relate to the proposed disposal and the existing use and value of the land as public open space.

Some of the objections concern the suitability of the site for the particular development which may subsequently be proposed, including planning, highways and ground conditions. Those issues are not for determination as part of the present public open space disposal process and, where relevant, will be considered through the appropriate planning and regulatory processes.

The present decision does not authorise a sale or other disposal of the land. Any subsequent disposal will require separate approval and compliance with the relevant legal and governance requirements.

Financial Implications:

Approval of the recommendation will enable the disposal to proceed and a capital receipt to be generated from the sale.

Appendices:

Please list any appended documents (please save these as clearly labelled separate documents in the Teams folder).

Appendix 1 – Red edged plan

Appendix 2 – Public Open Space Objections

Background papers:

Please list any background documents to this report and include a hyperlink where possible.

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

Term	Meaning
POS	Public Open Space