SCRUTINY REPORT

MEETING: OVERVIEW & SCRUTINY

DATE: 30 October 2026

SUBJECT: Milton Road - October 14th 2026 Public Open Space Cabinet Report

REPORT FROM: Roger Frith, Assistant Director or Corporate Assets and Facilities Management

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1.0 BACKGROUND

1.1 This report relates to a report considered by Cabinet at its meeting on 14th October, detailing objections made following a Public Open Space notice (POS), seeking approval to dispose of a plot of land to the North Side of Milton Road, Radcliffe, Bury.

1.2 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.

1.3 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.

1.4 The report referenced a total of 20 objections to the POS and were grouped by theme in the report.

2.0 ISSUES

2.1 On 18th October Cllr Sheppard emailed Democratic Services to request that the Cabinet decision is called in to Overview & Scrutiny Committee.

2.2 The email mentioned specifically a sealed envelope containing residents' representations was handed to security at the town hall on 16th September. Cllr Shephard in the email sought an explanation why these representations were not included in the 14th October Cabinet Paper. The missing objections were;

- An open letter signed by 20 residents of Moorfield Sheltered Housing, Wordsworth Avenue, raising concerns about the proposed disposal. Resident's objections followed a similar theme to the 20 noted on the cabinet report, as can be summarised as follows,
    - Well-used accessible community space
    - Valued environmental and community asset
    - Contributes to residents' health and well-being
    - Increased traffic congestion
    - Community safety and safeguarding issues
    - Increased noise and disturbance
    - Additional pressure on existing overstretched service and infrastructure

- Impact on a neighbourhood that has already experienced social and environmental challenges

- 8 other separately signed objections submitted by residents. Each of the 8 letters are duplicates signed by 8 residents and can be summarised as follows,
    - Loss of vital green infrastructure
    - Harm to local health and well-being
    - Impact on community safety
    - Failure to explore alternative locations.

2.3 Cllr Sheppard's email was forwarded on 19th October to a number of senior council officers, including the Assistant Director or Corporate Assets and Facilities Management (AD CAFM), who began an investigation into why the contents of the letter handed to the Council on 16th September were not included in the cabinet report.

2.4 The findings of the investigation

2.4.1 On 9th September a letter was passed by reception to Property Services, to whom it was addressed, and date stamped the same day. This is 7 days earlier than the date given in Cllr Sheppards email, but given the contents are the same as described it can be concluded that they are the same.

2.4.2 On 17th September an officer assisting with the POS Cabinet paper opened the letter and scanned the open letter from Moorfield Sheltered Housing to the Property Inbox, where objections to the POS notice were being sign posted. The further 8 letters of objection were not scanned and remained in the original envelope in the Town Hall, as they were mistakenly believed to be duplicates of the Moorfield objections. Following further investigation by the AD CAFM, they have been identified as separate to the Moorfields representations and should have been included in the POS Cabinet Report

2.4.1 A separate officer monitoring the Property Inbox did not identify the email containing scanned Moorfield objections as relevant to ones being received in relation to the POS objections being received and did not therefore move to the relevant SharePoint folder that was being used to collate all the objections received.

2.4.3 From the further information now available a further 28 objections should have been included in the 14th October POS Cabinet Report.

2.4.4 The investigation has highlighted that a number of experienced staff in the Property Team have retired in the last year and this may have left a knowledge gap when dealing with POS matters.

2.4.5 A dedicated folder on SharePoint was set up but relevant objections received into the Property Inbox was not moved across.

2.4.6 For any future POS cases two identified officers will open any future hard copy objections received in the post and they will follow any scanned documents to ensure they get saved in the relevant SharePoint folder. The same two officers will continue to monitor the Property Inbox to ensure that objections are identified and move to the relevant SharePoint folder.

3.0 OPEN SPACE CONSIDERATIONS

3.1 Planning colleagues have recently completed an updated Open Space Assessment (March 2026) which will form part of the evidence base underpinning the Local Plan and updates the Council's assessment of open space needs across the Borough. It provides the principal evidence for determining whether individual sites perform an important recreational function and whether their loss would undermine the overall network of provision.

3.2 The updated Open Space Assessment identifies the Milton Road site as a 1.47 ha area of amenity green space falling within the Radcliffe Analysis Area. The Assessment concludes that the Milton Road site rates below the thresholds for both quality and value as the space is an overgrown grassed area with no signage or seating and scores lower for overall appearance and maintenance. In particular, the Open Space Assessment shows the Milton Road site to have a quality score of 46.2% (below the 50% quality threshold) and a value score of 18.0% (below the 20% value threshold).

3.3 From a quantitative perspective, the table below shows that the Radcliffe Analysis Area is not deficient in amenity greenspace provision having 0.81ha of amenity greenspace per 1,000 population – above the recommended standard for amenity greenspace of 0.64ha per 1,000 population.

Analysis	Current Provision	Above/below 0.64
Bury	0.45	-0.19
Prestwich	0.14	-0.50
Radcliffe	0.81	+0.18
Ramsbottom & Tottington	0.77	+0.13
Whitefield	1.18	+0.55

3.4 The loss of the full extent of Milton Road, which extends to 1.47Ha, would reduce the value score to 0.76, still above the minimum recommended level of 0.64.

3.5 The proposed plans, as set out in the October Ash Grove Cabinet report shows an area to the east of the site retained for an enhanced community garden. In addition, walking routes would still be available through the retained areas of open space from, Chaucer Ave, Kilburn Road and Milton Road.

3.6 As set out in the October Cabinet report, 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.

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4.0 CONCLUSION

4.1 It is accepted that the report to Cabinet on 14th October should have referenced a total of 48 objections, not 20.

4.2 It is recommended that a further report should be submitted to Cabinet in due course detailing all 48 objections to the POS notice.

4.3 A number of issues have seen identified in how the POS process is managed and safeguards as set out above will be put in place to ensure that identified errors are not repeated.

List of Background Papers:-
Milton Road - 14th October 2026 POS Cabinet Paper