Classification: Open	Decision Type: Key

Report to:	Cabinet	**Date:** 04 November 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. This matter was considered by Cabinet on 14th October 2026. Cabinet at that meeting agreed to proceed with the disposal of the Public Open Space- Land at the North Side of Milton Road. The decision of Cabinet was called- in by the Overview & Scrutiny Committee.

2. Scrutiny considered the call-in on 3rd November 2026. The Committee made the following recommendations to Cabinet -

- Overview and Scrutiny recommend to Cabinet to consider the 28 objections which were submitted prior to the consultation closure date of 24th September 2026, which were not provided in the original report to Cabinet.

- Overview and Scrutiny recommend to Cabinet that feedback from the event on the 29th September, alongside all other representations received up to 14th October 2026 (that being the date of the meeting of Cabinet in which the previous version of the report was considered), be considered by Cabinet in addition to the feedback received within the consultation period.

- Overview and Scrutiny recommend to Cabinet that a review is carried out to ensure that all consultation responses are dealt with appropriately to prevent a repetition of these issues and ensuring that responses are more appropriately and informatively grouped and presented to decision makers.

- Overview and Scrutiny recommend to Cabinet that, in addition to meeting statutory requirements for consultation in accordance with Section 123 (2A) and 127 (3) of the Local Government Act 1972 of the Local Government Act 1972, the council carries out additional appropriate and localised consultation with the relevant communities affected for future development on this report and for future projects.

- Overview and Scrutiny recommend that pages 45-47 of the Overview and Scrutiny agenda pack, the full scrutiny report of Roger Frith dated 30th October 2026, prepared for the call-in meeting be provided to Cabinet for acknowledgement and consideration.

Recommendation(s)

3. Cabinet is asked to reconsider the decision made on the 14th October in light of the recommendations from Overview & Scrutiny and following consideration of the additional information set out in this report.

4. Members may amend or confirm the original decision or require further specified work to be undertaken before making a final determination

Reasons for recommendation

5. The Council constitution requires that the decision is reconsidered as set out above.

Alternative options considered and rejected

6. There are no alternative options as the Council is required to comply with it's constitution

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Background

7. Cabinet received a report in October which referred to a plot of land to the North Side of Milton Road, Radcliffe, Bury as shown edged red on the plan shown in Appendix 3. The land comprises of an area of approximately 14,685 square metres. Member agreed at the meeting to dispose of the land, Members are asked to reconsider this decision and the recommendations of Overview and Scrutiny. The recommendations of scrutiny are summarised in this report, this report appends both the October Cabinet report (Appendix 1) and the report considered by Overview & Scrutiny Committee on 3rd November (appendix 2).

8. The land is managed by the Council's Leisure Services. In October 2023 the Council granted permission to Growing Radcliffe Together to undertake gardening works on the site until September 2027. This was not a formal lease arrangement.

9. 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.

10. 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.

11. A total of 48 objections to the POS have been received for the disposal of the Site and are included in Appendix 4.

12. 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 Received following the POS Notice

Objection Category Reference	Objection category	Count	Bury Council's Comment
A	Loss of Public Open Space or community asset	**47**	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.
B	Biodiversity, wildlife, green infrastructure, trees or drainage	**47**	These issues will be considered should a planning application for development on the site be brought forward.
C	Health, wellbeing, access or equality impacts	**45**	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.
D	Alternative sites or site-selection concerns	**45**	These objections refer to the potential future use of the site not its disposal, which the subject of this report.
E	Safety, traffic, parking, emergency access, noise or infrastructure	**45**	These issues will be considered should a planning application for development on the site be brought forward.
F	Deprivation, social equity or households without gardens	**42**	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.
G	Consultation, due diligence, evidence or decision making	**6**	All evidence has been carefully considered during the consultation period for objections being received by the Council.

H	Growing Radcliffe Together or Local Plan policy issues	**2**	This issue will be considered and alternative provision sought should the site be brought forward for disposal. The Council is aware of the October 2023 permission granted in connection with the Growing Radcliffe Together project. Whilst that forms part of the factual background to the representations received, it does not determine the question for Cabinet in considering the section 123 public open space objections.
I	Mining, ground stability, subsidence or geotechnical risk	**2**	These issues will be considered should a planning application for development on the site be brought forward.
J	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.		

At its meeting on 3 November 2026 Overview & Scrutiny Committee resolved that the 32 responses from the public consultation event held on 29th September 2026 should also be included in this report. The objections are included within Appendix 5.

Officers have also checked whether any further objections were received prior to the cabinet meeting and can confirmed that all objections up to the date of the Cabinet meeting are contained within this report.

The table below sets out the objections by theme, which given the timescales, are as set out by Cassidy + Ashton in their summary report dated 30th September. A copy of the report is in Appendix 6.

Summary of Objections Received From the Public Consultation Event

Objection Category Reference	Key Issues	Count	Bury Council's Comment
A	Loss of Green space/recreational space	**21**	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
B	Crime, anti-social behaviour and drugs	**17**	These issues will be considered should a planning application for development on the site be brought forward.
C	Highways (traffic and parking)	**17**	These issues will be considered should a planning application for development on the site be brought forward.

D	Wrong location/alternative sites available	**10**	These objections refer to the potential future use of the site not its disposal, which the subject of this report.
E	Enough existing education provision in area	**4**	These issues will be considered should a planning application for development on the site be brought forward.
F	Concerns regarding behaviour of Children	**4**	These issues will be considered should a planning application for development on the site be brought forward.
H	Environmental concerns (wildlife, habitats, pollution etc.)	**3**	These issues will be considered should a planning application for development on the site be brought forward.
I	Property Values	**3**	It is not possible at this stage to comment on any negative or positive effect on property values.
J	Community gardens will not be maintained	**2**	These issues will be considered should a planning application for development on the site be brought forward and managed through planning conditions.
K	Noise	**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.		

13. Many of the objections in both tables 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.

14. A further analysis of both sets has been carried out, which identifies each objection category reference from the tables above to each individual objection. Table showing this detail can be found in Appendix 7

15. 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.

16 OPEN SPACE CONSIDERATIONS

16.1 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.

16.2 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).

16.3 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

16.4 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.

16.6 Other nearby areas of open space and their distance from the centre of the Milton Road site are set out in the table below

Area of Open Space	Size (Ha)	Distance from Milton Road
Bolton Road Park	1.72	275m
Red Bank Lodges Nature Reserve	2.63	475m
Red Bank Playing Fields	4.78	610m
Cams Lane Athletics Track	2.56	810m

14.7 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.

16.6 In addition the majority of the housing estates surrounding the Milton Road site have areas of outdoor amenity space, including, those on,

- Coleridge Ave
- Kilburn Road
- Masefield Ave
- Holborn Ave
- Chelsea Ave
- Radelan Grove
- Spenser Ave
- Shakespear Ave
- Tennyson Ave

17 Members are requested to reconsider their decision in light of the additional information in this report and the recommendations from Overview and Scrutiny Committee.

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).*

An initial screen has been carried out and determined that a full equality impact analysis is not required at this stage. Should a decision be made to progress this activity, a full analysis will be carried out and continually reviewed as the activity progresses.

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:

Under the Council's constitution the Cabinet is required to consider any objections and comments from Overview and Scrutiny but will not be bound by them unless it is contrary to the Policy Framework or contrary to or not wholly consistent with the Budget.

The constitution states that Cabinet as the decision maker shall reconsider any decision referred to them following call-in, take into account any views expressed by the relevant overview and scrutiny committee and may either amend or confirm the original decision or require further specified work to be undertaken before making a final determination.

Cabinet is reminded that 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, in addition this report sets out all objections raised up to the date of the Cabinet meeting.

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.

Two objections refer to permission granted by the Council in October 2023 in connection with environmental improvement works at the site. Officers have reviewed the information presently available regarding those arrangements. Whilst relevant to the factual background and existing use of the land, the existence of the permission does not determine the outcome of the Council's consideration of objections under section 123(2A) of the Local Government Act 1972

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 - Original cabinet report

Appendix 2 - Report for O&S

Appendix 3 – Red edged plan

Appendix 4 – Public Open Space Objections

Appendix 5 – Objections following Public Consultation on 29th September 2026

Appendix 6 - Cassidy + Ashton report

Appendix 7 – Further analysis of objections by Theme

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