

**Divisions Affected – ALL**

**CABINET  
23 May 2023**

**PROPOSAL FROM OXFORD UNITED FOOTBALL CLUB TO  
OXFORDSHIRE COUNTY COUNCIL AS LANDOWNER**

**Stakeholder Engagement**

**Report by the Chief Executive**

**RECOMMENDATION**

1. **The Cabinet is RECOMMENDED to**
  - (a) Note the progress set out in the report below.
  - (b) Note the feedback from the stakeholder meetings held during April and May 2023 (annex 1).
  - (c) Amend the seven strategic priorities following stakeholder feedback as set out in paragraph 16 below.
  - (d) Agree the approach to the second phase of public engagement as set out in annex 2.

**Executive Summary**

2. In January 2023 the Cabinet agreed to begin negotiations on commercial head of terms for the use of a parcel of land known as 'Land to East of Frieze Way / South of Kidlington Roundabout or the triangle' for the development of a new stadium for Oxford United Football Club (OUFC). At the time of writing this report officer-led negotiations for non-binding heads of terms are progressing.
3. Cabinet notes that heads of terms are non-binding and that any final decision is subject to the scheme addressing the set of seven strategic priorities as set out by Cabinet in previous meetings.
4. On 21 March 2023 the Cabinet endorsed a Memorandum of Understanding between Oxfordshire County Council (OCC) and OUFC. The Cabinet agreed a stakeholder engagement and communications strategy and three timetables as routes (optimistic, likely, and elongated) to a final decision regarding the land. At the Cabinet meeting on 18 April 2023, it was confirmed that the optimistic

timeframe would not be met and the likely timeframe (ie a Cabinet decision planned for 19 September 2023) remained on track.

## **Background**

5. This report follows those received by Cabinet on 18 January 2022, 5 March 2022, 24 January 2023, 21 March 2023 and 18 April 2023 (all available on the Oxfordshire County Council website). It provides an update on work underway and sets out feedback from stakeholder meetings held to date and the plans for the second phase of public engagement.
6. OUFC approached OCC in late 2021 with a proposal to develop Stratfield Brake playing fields and 'the triangle' for a scheme including a new home stadium and enabling commercial development. In January 2021 the Cabinet resolved to undertake a public engagement exercise to understand local views and set out a series of strategic priorities that any scheme should address prior to a final decision being made.
7. Following the public engagement activity, the Cabinet meeting held on 15 March 2022 agreed that officers would conduct discussions with OUFC to deepen their understanding of the detailed proposals being made and to consider their compatibility with the strategic priorities and that OUFC should provide information to OCC setting out how their proposals would address these strategic priorities.
8. OUFC have chosen to utilise the design process set out by the Royal Institute of British Architects (the RIBA plan of work) and, on 10 November 2022, officers received a response from OUFC in the form of the RIBA stage 0 report. It should be noted that this report has been undertaken in relation to a wider proposal encompassing a land parcel including the Stratfield Brake playing fields. OUFC published their final stage 0 report on their website in December 2022.
9. Following a series of clarifications and stakeholder meetings and a consideration of the proposals, the Cabinet met on 24 January 2023 and resolved to enter into negotiations for non-binding heads of terms for the use of 'the triangle' for a new stadium rather than the original proposal that included Stratfield Brake playing fields. This decision was undertaken recognising the scope, scale and complexity of the original proposal was subject to a series of challenges both in terms of deliverability and the extent to which the strategic priorities would be addressed.
10. OUFC have continued to undertake their own stakeholder engagement.

## **Progress Update**

11. A dedicated page has been published on the county council's website: [www.oxfordshire.gov.uk/stadium](http://www.oxfordshire.gov.uk/stadium). This includes an overview of the discussions, the proposed timeline, definition of roles, and links to Cabinet papers and news stories. It aims to provide a one-stop shop for all stadium-related information.

12. Officers have progressed negotiations on non-binding heads of terms with OUFC. These heads of terms relate to the value of the land if utilised for a stadium and ensuring that any financial or commercial arrangements meet the relevant legislative criteria for the county council. These heads of terms are non-binding and remain subject to contract and the final decision by Cabinet in September with regards to the use of the 'triangle'. Until a final decision regarding the use of the land has been made by Cabinet, these heads of terms remain commercially confidential.
13. During April and May, officers have been working with an independent facilitator to undertake stakeholder meetings exploring early views regarding the use of the land at the triangle and the potential impact of any new stadium. OCC would like to thank all those stakeholders who have taken part in these discussions. Annex 1 sets out thematic feedback from these meetings to date.
14. An update briefing by OUFC took place for county councillors on 17 April 2023 in the format of a presentation by the club followed by questions and answers. A video of OUFC's presentation has been published on their YouTube site; a set of written Q&As are available on the county council's website.
15. Following stakeholder feedback, Cabinet is recommended to amend the seven strategic priorities as set out below (underlined text has been added following feedback from stakeholders), drawing attention to the importance of inclusivity and accessibility, clarifying the requirements with regards to nature recovery, biodiversity, and public access:
  - maintaining a green barrier between Oxford and Kidlington and protecting and enhancing the surrounding environment including biodiversity, connecting habitats, and supporting nature recovery
  - improving public access to high-quality nature and green spaces
  - enhancing inclusive facilities for local sports groups and on-going financial support
  - significantly improving the infrastructure connectivity in this location, improving public transport to reduce the need for car travel in so far as possible, and to improve sustainable transport through increased walking, cycling and rail use
  - developing local employment opportunities in Oxfordshire
  - increasing education and innovation through the provision of an accessible sports centre of excellence and facilities linked to elite sport, community sport, health and wellbeing
  - supporting the council's net zero carbon emissions pledge through highly sustainable development.

## Proposed Next Steps

16. The next steps for this work are focused on i) publication of information from OUFC, with more detail about the proposed scheme and how it addresses the council's seven priorities set out in paragraph 16, and ii) the second and final phase of OCC public engagement as set out in annex 2.
17. Subject to the receipt of information from the club, the council's public engagement is planned to commence on 5 June at 10am and finish on 23 July at midnight.
18. Following completion of the public engagement, OCC officers will review the feedback, seek further clarifications and information from OUFC as required, and draft a recommendation for Cabinet's consideration in September 2023.

## Financial Implications

19. Financial implications associated with the engagement and communications strategy include officer time, the use of independent advisors, and the production and distribution of communication materials. This will be resourced through existing departmental budgets and supplemented by reserves, if necessary. The estimated impact for both phases of engagement is approximately £75,000.

Comments checked by:

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## Legal Implications

20. It should be noted that this report relates to Oxfordshire County Council as landowner, and not in its role as statutory consultee to a planning application. Any potential stadium development would be subject to the usual planning process and Oxfordshire County Council will undertake its role as a statutory consultee with regards to relevant matters as part of that process.

Comments checked by:

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## Equality and Inclusion Implications

21. No further equality or inclusion implications have been identified in addition to those noted in previous reports relating to this matter. The publication of a timeframe to decision making and commitment to a period of at least six weeks for feedback seeks to enable as wide as participation as possible.

## **Sustainability Implications**

22. Whilst there are no specific sustainability implications arising from this report, it should be noted that any scheme proposal by OUFC must support OCC's net zero carbon emissions pledge through highly sustainable development aspirations and overall net zero emissions targets; that any proposal must seek to enforce less reliance on cars and improve sustainable transport through increased walking, cycling, and rail use, and that any proposal must achieve a 10% biodiversity net gain.

## **Risk Management**

23. The county council will identify and mitigate financial risks associated with the potential development of a stadium on its land. The council will take appropriate legal and financial advice to develop the mitigations. Currently this advice is being sought.
24. Professional fees will need to be incurred before it is clear whether the transaction can proceed. The liability for these fees must rest with OUFC and not the county council. Whilst the county council will always act in good faith, if ultimately it was unhappy with the proposals in the professional reports, the county council must retain the right to refuse to proceed with the transaction without being liable for OUFC's costs.
25. For the avoidance of doubt, the county council will not be willing to enter into a conditional agreement for lease or freehold sale before the professional reports are obtained which might tie it to proceed with the transaction despite being unhappy with the proposals in the professional reports.
26. The timeframe set out in this report (ie an anticipated Cabinet decision on 19 September 2023) is entirely dependent on OUFC providing adequate information setting out how the council's strategic priorities will be addressed as part of the scheme proposals.

## **Consultation and engagement**

27. The county council undertook a significant public engagement exercise in January and February 2022. Lasting four weeks, with specific local targeting, this exercise was open to all and explored the strategic priorities identified in this report. It related to proposals from OUFC covering both the playing fields at Stratfield Brake and the land known as the 'triangle' and described as land to the east of Frieze Way / south of Kidlington roundabout.
28. During April and May 2023, OCC held independently facilitated discussions with stakeholders to listen to early views with regards to the scheme. Whilst detailed plans from OUFC were not yet available, the council was keen to hear formative views from stakeholders on opportunities and concerns with regards to the

principle of a stadium on 'the triangle'. A summary of the feedback received from stakeholders to date is included in Annex 1.

29. A second phase of public engagement is due to take place in June and July 2023. Annex 2 sets out the plans for the next phase of engagement, which is in line with the engagement and communication strategy adopted by Cabinet in March 2023.
30. If a decision were made by Cabinet to make available the land to OUFC for the development of a stadium, formal consultation would take place as part of the statutory planning process in due course. It is important to stress that the county council cannot replace or undermine the statutory consultation process that will be undertaken by Cherwell District Council as the local planning authority.
31. The county council is aware that OUFC, as the scheme promotor, is undertaking pre-application engagement with community stakeholders and the planning authority; OCC welcomes this work.

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SUSANNAH WINTERSGILL: DIRECTOR COMMUNICATIONS, STRATEGY, AND INSIGHT.

Annex: Annex 1: Stakeholder engagement feedback report  
Annex 2: Engagement and communications strategy

Background papers: None

Other Documents: This report follows those received by Cabinet on 18 January 2022, 15 March 2022, 24 January 2023, 21 March 2023 and 18 April 2023 - all published on the county council website [www.oxfordshire.gov.uk](http://www.oxfordshire.gov.uk)

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