

To: Cabinet
Date: 16 October 2024
Report of: Head of Corporate Property
Title of Report: Disposal of Land at Foxwell Drive, Headington

Summary and recommendations	
Purpose of report:	Request approval to enter into an Option Agreement for the disposal of land at Foxwell Drive, Headington.
Key decision:	Yes
Cabinet Member:	Councillor Ed Turner, Deputy Leader (Statutory) Finance and Asset Management
Corporate Priority:	Enable an inclusive economy; deliver more affordable housing
Policy Framework:	Asset Management Strategy

Recommendations: That Cabinet resolves to:	
1.	Give approval to the Heads of Terms for an Option Agreement, as outlined in the report, for the disposal of land at Foxwell Drive, Headington, noting that any development would be subject to planning;
2.	Delegate authority to the Executive Director (Development), in consultation with the Head of Law and Governance, the Head of Financial Services and the Deputy Leader (Statutory) - Finance and Asset Management to enter into the Option Agreement; and
3.	Delegate authority to the Executive Director (Development) in consultation with the Head of Law and Governance, the Head of Financial Services and the Deputy Leader (Statutory) – Finance and Asset Management to agree the final disposal price of the Land on the basis that it will comply with the requirements of S123 of the Local Government Act 1972.

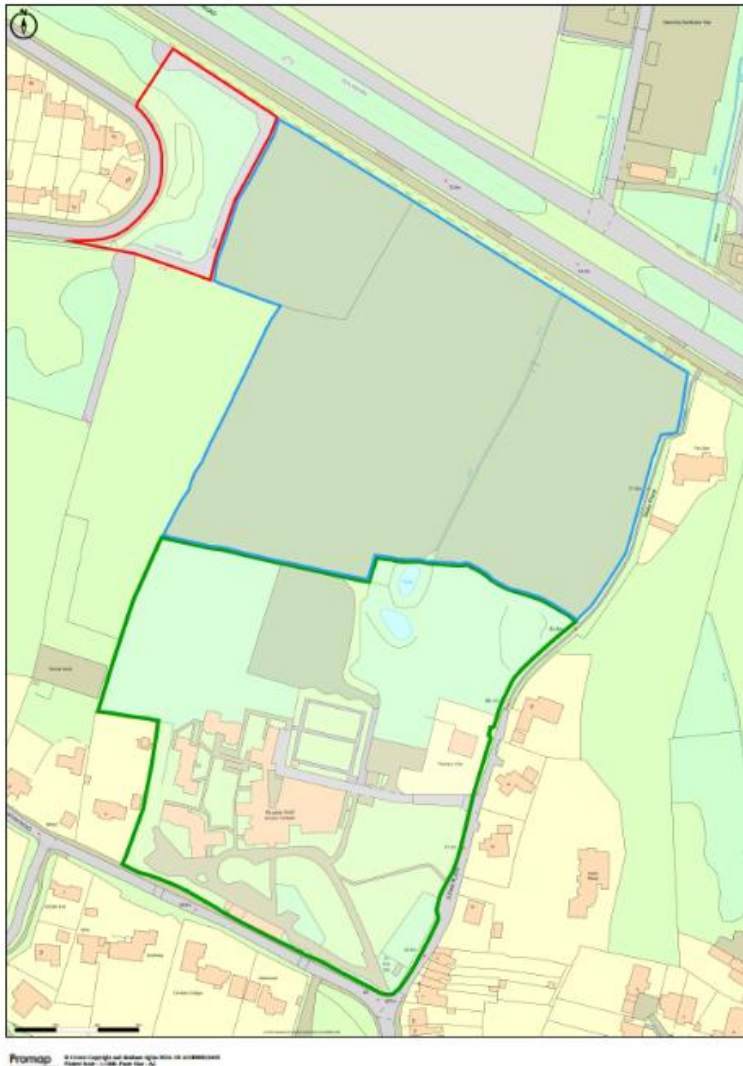
Appendices	
Appendix 1	Exempt Appendix 1 – not for publication
Appendix 2	Risk Assessment

Introduction and background

1. Ruskin College (the “College”) is situated on Dunstan Road, Headington. The College is looking to redevelop the educational facilities on the campus. To fund the redevelopment, they are looking to dispose of an area of land to the rear of the College known as Ruskin Field (the “site”) for residential development. Please see the plan below showing the site outlined in blue, it extends to approximately 8.7 acres.
2. The land the College are looking to redevelop for educational facilities is outlined green on the plan below, it extends to approximately 3.5 acres.
3. The existing access to the residential site is through Stoke Place. This a single carriage track and it is not large enough for access to the proposed residential development site. The College has identified a suitable access to the site from Foxwell Drive. The land that the College has identified is owned by the Council, outlined in red on the plan.
4. The College approached the Council during 2023 with regards to acquiring a right of way over the Council owned land. We have been having discussions with the College regarding this and have now reached an agreement to sell the land on a freehold basis to the College in the event planning consent is secured for the site.
5. The land that is subject to the agreement with the College forms part of a larger section of land that was appropriated in 2012 for planning purposes linked to the Barton Park Regeneration Project. Subsequent to the completion of the Barton Project Regeneration works the land has continued to be held for planning purposes. As such there is no requirement to advertise the disposal of the land to the College.
6. The key terms of the agreement are contained in the attached exempt appendix.

Plan of the Site

Plan 1 Ruskin Fields



Financial implications

7. The sale of the site could generate a significant capital receipt for the Council; however, there is no guarantee that the College will be able to secure planning consent for the site. There is also no certainty of the likely timing the capital receipt will be received at this time.

Legal issues

8. The Council is able to dispose of any land that it owns subject to the disposal being at the best consideration less than the best that can be reasonably obtained. The terms of the agreement will include mechanisms to ensure that the disposal complies with this requirement.
9. The land is not currently held as open space for the purposes of s. 122(2A) of the Local Government Act 1972, and there is no legal obligation to consult on the sale to the College.

10. Officers have consulted the relevant provisions of the Council’s constitution relating to land disposals and have received legal advice on these from the Legal Services team. Further comment on these matters may be found in the Exempt Appendix.
11. This report does not prejudice any application that the College, their agents or subsequent owners make to the Local Planning Authority.

Level of risk

12. Please see Appendix 2. This decision does not have an impact on anyone with protected characteristics, on this basis an Equalities Impact Assessment is not required.

Carbon and Environmental Considerations

13. There are no Carbon and Environmental considerations in respect of the recommendations made in this report.

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Background Papers: None
