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From: Planning
Sent: 13 April 2024 15:48
To: DC Support
Subject: FW: Oxford United Stadium Application Objections - 24/00539F

From: John Kelly [REDACTED]
Sent: Saturday, April 13, 2024 11:28 AM
To: Planning <Planning@Cherwell-DC.gov.uk>
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Objections to the Proposed Oxford United FC Stadium

Executive Summary

I write as the late County Emergency Planning Officer (CEPO) and Chairman of the Oxford United FC(OUFC) safety Advisory Group (SAG) to raise serious safety concerns over the proposed new stadium based on:

- lack of clear safety plans for entry and exit
- separation of the main application from the alleged bridge application
- crowd dangers from a bridge entry and exit
- obfuscation and overload on the committee through a list of generic emergency plans
- valid objections by Thames Valley Police (TVP) and Oxfordshire County Council (OCC) to the ludicrous closure plans for main roads
- real safety with danger to life and reputational risks from any agreement to this planning application
- legal precedents from the Hillsborough Inquiry and likely precedents from the Grenfell Inquiry on flawed planning decisions
- the very dangers of failing to plan and planning to fail
- Council reputational and legal concerns over flawed decisions

Recommendations

The Planning Committee is recommended:

- a. to request written evidence of any lease discussions with the Firoka organisation on extending the lease at the Kassam Stadium**
- b. to request that the proposed bridge be included in the full application and not treated as a separate planning application**
- c. to prioritise and accept the very real safety concerns from Oxfordshire County Council and TVP**
- d. to bear in mind the consequences of flawed safety decisions in the light of the 30-year legacy ruling from Hillsborough and the likely legal outcomes from the Grenfell Inquiry on Councillors and Officers**
- e. to protect officers and the Safety Advisory Group from any legal outcomes on flawed directions to accept the dangerous entry and exit plans**
- f. to reject this site for the proposed OUFC stadium on safety grounds alone**

Ch.18 - OUFC Planning Application- Review

1. There is little in this chapter beyond trying to overload councillors with legislation and no plans beyond general plans under the Civil Contingency Act (2004) applied to all Tier 1 Authorities. They list all the regulations, hazards, Local Resilience Forum and Risk Register but it adds nothing to a planning application. All such major site applications are subject to these controls- so what?

2. Major Incidents are dealt with at council level by the County Council with emergency services partners. Although Cherwell and all the councils have emergency plans, they are generic except where demanded by law on hazardous sites and the council plans are not supporting reasons for the stadium.

3. The only real safety plan for the stadium is the Safety Certificate demanded by the Sports Ground Safety Authority and would only be put in place for the commissioning of the stadium by the County Council through the Safety Advisor Group on which a Cherwell representative would sit but led by OCC, as at the Kassam. This future certificate would not be a reason for acceptance of the application at the planning stage.

4. This chapter adds nothing to the application and is only a litany of laws and regulations to impress but councillors should be aware from experience of such attempts to overload and impress them with the applicant's planning .

Entry and Exit Safety Concerns

5. Oxfordshire County Council and Thames Valley Police are absolutely correct on their rejection of the entry and exit plans to the stadium on the grounds that traffic could not be halted on a busy road and on the counter-terrorism dangers of hostile vehicle movement. The current stadium plans mitigate such dangers.

6. The alternative entry and exit proposal for a bridge over the road is more dangerous, as such structures can be subject to resonance and vibration by the movement of possibly rowdy, excited fans moving across at the same time in the same direction in addition to the difficulties of separating rival fans. The swaying motion of crowds acting in unison has been seen in the upper circles of cinemas and theatres, where fans start to move to the music and cause the collapse of the

structure. This dangerous phenomenon was exercised based on one of our City theatres during the preparations for the Millennium in 1999.

7. Under the Civil Contingencies Act 2004, Tier 1 Authorities (Councils and Emergency Services) are required to prevent emergencies and these plans would fail the Act.

8. Any new stadium Safety Certificate would need to go before the County Council's relevant Committee owing to the safety issues raised by the Police, as it should not be approved only under officers' delegated powers. At any Committee meeting, councillors would need to be advised of their duties under the Civil Contingency Act and their future liabilities based on the thirty-year legacy Hillsborough judgment and the likely prosecutions arising from the seven-year investigation into the Grenfell Tower disaster. The Chairman of the Safety Advisory Group would also be very wise to ask for a written, signed direction from the Committee, if the Safety Certificate was to be based on either of the two seriously flawed entry and exit plans.

TVP Consultation Response

9. TVP is right to highlight the lack of thought over security for the proposed stadium, particularly the threat from Hostile Vehicle Movement (HVM).

10. It will be impossible to protect spectators moving on narrow pavements in the area from hostile vehicles, as the Highways Authority. Fans will move along any road in order to enter and exit the stadium and all approaches cannot be protected. Even if a bridge were constructed, the fans will use any means to reach the stadium and will not wait for any timed or batch crossing of a bridge.

11. A restricted area such as the proposed bridge makes an ideal target for any terrorist.

12. At the current Kassam stadium, the fans are better protected from a hostile vehicle attack on Grenoble road by the line of parked cars separating them from the highways and by the cars parked at the stadium, which restricts hostile car movement. No such protection appears to be available on routes to the proposed stadium.

13. With current and likely future threat levels remaining very high, this damning TVP review of the plans must be considered very seriously by the Planning Authority. However the security requirements for this

new site, with no apparent means of protecting travelling fans and little means of evacuation render the site unfit for purpose.

Advantages of Kassam Stadium

14. Calculations for emergency exit via the vomitories (stairways/tunnels) allow for the Kassam to be emptied in a very short time on to the car parks and surroundings roads. No such space appears to be available in the proposed stadium. In addition, panicked crowds from rival teams on emergency exit will force themselves on to any bridge, which will not have been designed for mass evacuation in a short time period.

15. As Chairman of OUFC SAG at the time of commissioning the Kassam, I did not receive such a damning report from TVP on security and counter -terrorism as provided by their review of the plans for the new stadium. The SAG would not have allowed the opening of the Kassam until all such recommendations/requests had been completed and signed off by TVP. However the hostile vehicle threat was not so prevalent at the time.

16. All members of the Safety Advisory Group (SAG) will be bearing in mind the 30 year legacy judgement of Hillsborough and the 7 year investigation into Grenfell, when they are asked to sign off inadequate security and counter-terrorism plans for this proposed site.

Summary and Conclusion

17. The major flaw in this planning application is the lack of safety in the entry and exit plans. Both Oxfordshire County Council and Thames Valley Police have found the road closure plans unacceptable and highly dangerous both to spectators and to those using the highway.

18. The alternative suggestion of a bridge over the highways is even more dangerous owing to the confined space; any swaying motion by fans walking in unison; the clashing of rival fans; the dangers of stampeding fans in an emergency evacuation and the very likely targeting of a bridges by terrorists as a choke point and secondary target. This option seems to have been considered only for orderly entry and exit and not for evacuation.

Recommendations

19 . The Planning Committee is recommended:

a. to request written evidence of any lease discussions with the Firoka organisation on extending the lease at the Kassam Stadium

b. to request that the proposed bridge be included in the full application and not treated as a separate planning application

c. to prioritise and accept the very real safety concerns from Oxfordshire County Council and TVP

d. to bear in mind the consequences of flawed safety decisions in the light of the 30-year legacy ruling from Hillsborough and the likely legal outcomes from the Grenfell Inquiry on Councillors and Officers

e. to protect officers and the Safety Advisory Group from any legal outcomes on flawed directions to accept the dangerous entry and exit plans

f. to reject this site for the proposed OUFC stadium on safety grounds alone

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