


DECISIONS DELEGATED TO OFFICERS

Decision title:	Approval of removal of selected trees (shown at Appendix A) and other vegetation prior to commencement of bird nesting season, to enable mobilisation for construction of the Proposed Oxpens River Bridge in July 2024.
Decision date:	20 February 2024
Source of delegation:	<p>This decision is delegated to officers under Part 4.4 of the Council's Constitution: all executive functions except those in Part 4.5, 4.6 and 4.7 are delegated to the officers in the senior management structure.</p> <p>Reference is made elsewhere to the Cabinet decision of 16 November 2022 to enter into contractual terms for the pre-contract stages of the Oxpens River Bridge construction project (see Cabinet Report here) which was subsequently completed via the signing of a pre-contract services agreement (PCSA) on 29/03/2023 (see decision here).</p> <p>As planning consent is still pending there is no development to bring forward at present; therefore this decision is taken as an officer decision in line with Part 4.4 of the Constitution, and not under the delegation made by Cabinet on 16 November 2022.</p>
What decision was made?	<p>To progress with the clearance of trees and vegetation as identified on the attached plan (Appendix A) and referenced below, prior to 1 March 2024:</p> <ul style="list-style-type: none"> a) Three trees near the site entrance on Oxpens Road and the first cedar tree will need lower branches trimmed and limbs removed to provide clearance for construction vehicles to access the site on/around 10 June 2024. These works are considered the least contentious as the trees will be retained and protected during construction. The trees are indicated as group A on the plan with a pale blue box. b) Two groups of established trees, principally willow, to be removed or heavily pollarded to deter nesting, to the south of the ice rink. These works would need to be undertaken to provide for ground lowering works in mid-August 2024. These trees are indicated as group B with pink boxes on the plan. c) A bank of trees on the southern side of the river that need to be removed to facilitate access for site vehicles from the east and to create a haul road by 19 July 2024. Note: smaller vegetation to include bushes/ scrub would also need to be cleared either side of the path to enable plant to be brought to the site to construct the bridge abutment. These trees are indicated as group C with a green box on the plan.

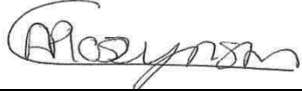

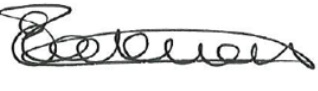
	<p>An inspection of all of the trees selected for works will be undertaken by a suitably qualified person prior to commencement to check for any evidence of early nesting, which would mean that works would not proceed in the vicinity.</p> <p>These tree works and the associated budget were included as a priced item within the PCSA activity schedule agreed in March 2023.</p> <p>None of the trees identified for works/ removal are covered by tree protection orders, nor are any further permits or consents required.</p>
Purpose:	The decision enables tree works to be undertaken that will allow the main contractor to commence site works in July 2024 and deliver completion by the Growth Deal funding deadline of 31 March 2025, subject to planning permission being granted for the development.
Reasons:	<p>As set out above, the programme to deliver the Oxpens River Bridge is being dictated by the deadline for the spending of Growth Deal funding.</p> <p>The removal/ reduction of the trees reduces the significant risk that the programme could be stalled by nesting birds, preventing the removal of trees during the nesting season (01/03/24 to 31/08/24).</p> <p>If the works programme were delayed by bird nesting it would mean that the bridge could not be delivered on time and the funding would be lost.</p> <p>The development proposals, to be delivered by March 2025, include additional tree planting, landscape improvements and the achievement of bio-diversity net gain.</p>
Decision made by:	Tom Bridgman, Executive Director (Development)
Other options considered:	<p>The option to leave the trees in situ and accept the risk of nesting birds was considered.</p> <p>This option was rejected as given the nature of the trees and surroundings it is considered likely that nesting would occur. The risk of programme delay was considered unacceptable, as the failure to deliver completion by the Growth Deal Funding deadline at the end of March 2025 would compromise the Council's aim of supporting active travel by providing a pedestrian and cycle bridge over the river, and facilitating movement between Osney Mead and the City Centre as well as north-south links to the city centre and rail station.</p>
Documents considered:	PCSA Document (05 CEN Pre Con Services Opt A - Oxpens River Footbridge - Rev6). This is exempt by reason of commercial confidentiality.

Key or Not Key:	Not Key
Wards significantly affected:	The works involved in this case are selective tree removal and do not impact the use of the land, which will be maintained as open space. Proposals include replacement planting so that the overall character on the area is maintained. The decision does not therefore significantly affect either Osney & St Thomas or Hinksey Park ward.
Declared conflict of interest:	None
This form was completed by: Name & title: Date:	Gary Meeds Project Manager, Regeneration Team 20 February 2024

Approval checklist

<i>Approver</i>	<i>Name and job title</i>	<i>Date</i>
Decision maker	Tom Bridgman, Executive Director (Development) 	19 February 2024

Consultee checklist

<i>Consultees</i>	<i>Name and job title</i>	<i>Date</i>
Senior officer	Carolyn Ploszynski, Head of Regeneration & Economy 	15 February 2024
Head of Financial Services	Nigel Kennedy, Head of Financial Services 	19 February 2024
Head of Law and Governance	Emma Jackman, Head of Law & Governance 	16 February 2024
Cabinet Member	Councillor Ed Turner, Deputy Leader (Statutory) – Finance and Asset Management	20 February 2024