

**To:** Cabinet  
**Date:** 13 August 2025  
**Report of:** Deputy Chief Executive - Place  
**Title of Report:** Oxpens River Bridge Update on Delivery and Funding

Summary and recommendations	
<b>Decision being taken:</b>	To agree to the virement of underspend in the current capital programme to increase the project budget in the capital programme for the Oxpens bridge; to accept additional funding for the construction of the bridge from external bodies, and to agree to amending and entering legal agreements as necessary for the funding, construction and transfer of the bridge.
<b>Key decision:</b>	Yes
<b>Cabinet Member:</b>	Councillor Alex Hollingsworth Cabinet Member for Planning and Culture
<b>Corporate Priority:</b>	Enable an inclusive economy; Support thriving communities; and Pursue a zero carbon Oxford.
<b>Policy Framework:</b>	Adopted Local Plan policy AOC1 and SP2 and West End SPD

**Recommendation(s):** That Cabinet resolves to:

- 1 Delegate authority to the Deputy Chief Executive - Place, in consultation with the Council's Group Finance Director (Section 151 Officer), the Director of Law Governance and Strategy (Monitoring Officer) and the Cabinet Member for Planning and Culture to enter into legal agreements, or amend legal agreements, to secure the additional external funds required to meet the £3.7 m needed to deliver the Oxpens River Bridge and to enter an amended agreement with Oxfordshire County Council to enable the Growth Deal funding to be spent in 26/27
2. To approve the increase in the budget for the project within in the capital programme for the Oxpens River Bridge project by £3.7 m from £10.3m to £14.00m through the virement of underspend within the capital programme 2025/26.

3. Delegate authority to the Deputy Chief Executive - Place, in consultation with the Council's Group Finance Director (Section 151 Officer), the Director of Law Governance and Strategy (Monitoring Officer) and the Cabinet Member for Planning and Culture to enter into a construction contract and any necessary ancillary contracts for the delivery of the bridge, subject to the necessary funds being in place.
4. Delegate authority to the Deputy Chief Executive - Place, in consultation with the Council's Group Finance Director (Section 151 Officer), the Director of Law Governance and Strategy (Monitoring Officer) and the Cabinet Member for Planning and Culture, to approve the transfer of the bridge to Oxfordshire County Council on completion.

Information Exempt From Publication	
<b>Cost Information contained in the report</b>	<p>This information is exempted from publication under Schedule 12A to the Local Government Act 1972:</p> <ul style="list-style-type: none"> <li>Information about someone's finances or business</li> </ul> <p>This appendix includes cost information that is commercially sensitive</p>

Appendix No.	Appendix Title	Exempt from Publication
<b>Appendix 1</b>	Risk Register	No
<b>Appendix 2</b>	Confidential Appendix	Yes

## Introduction and background

1. The Cabinet considered the Oxpens Bridge project at its meeting on 16 November 2022. The Cabinet report and resolutions can be viewed at: <https://mycouncil.oxford.gov.uk/ieListDocuments.aspx?CId=527&MId=7378>
2. In November 2022 the Cabinet approved the delegation of the acceptance of £2.8m from the Oxfordshire Growth Deal and the additional budget, entering into the pre-construction services agreement and delivery agreement and to enter into agreements with OXWED to allow the bridge to be constructed on their land.
3. Following that meeting, Balfour Beatty was appointed to provide early contractor support and deliver the detailed design via Stantec, the designers. The architectural concept for the bridge was developed and planning permission granted in July 2024. The detailed design was further developed and was accepted by Oxfordshire County Council, acting as the Technical Approval Authority for the scheme in early 2025. In June 2025 the Secretary of State for Transport granted permission for the bridge over the river under S106(3) of the Highways Act 1980 (as amended). The

bridge has now been designed so that it does not require OXWED land for the bridge structure or for its construction.

4. A Judicial Review was requested by Friends of Grandpont Nature Park in October 2024 based on five grounds. The request for permission for a Judicial Review was allowed by the courts and the Judicial Review hearing was heard over a two-day period at the Royal Courts of Justice in London on the 4/5th February this year. The judgement was issued on 10th March and dismissed all five grounds. An appeal has been submitted against the JR decision and the outcome is awaited. The Judicial Review has delayed the delivery of the bridge.
5. This report sets out progress on the delivery of the bridge and looks to secure an increase in the budget needed, due to the increase in overall project costs that has now occurred. This report is coming forward in advance of a decision on both the appeal of the JR decision and also in advance of having secured all external funding. This is so the Council can move forward quickly if the permission to appeal the JR judgement is dismissed, no further Judicial Review is forthcoming and the funding necessary to deliver the bridge has been secured.

### **Progress on scheme**

6. The construction of the bridge requires detailed technical design, a considerable number of approvals and development of a construction approach to enable delivery. Considerable progress has been made to develop a deliverable design.
7. The planning application (23/02506/CT3) for the proposed bridge was submitted on 27th October 2023 and permission was granted on 8th July 2024. Work is underway to discharge planning conditions for the development and an application for a Non-Material Amendment has been submitted, which if approved, would reduce the number of trees required to be removed.
8. The Oxpens Meadow is subject to a covenant in favour of Fields in Trust that commits the Council to keeping the meadow as a recreational space. The agreement of Fields in Trust for the bridge to be constructed over the meadow has been received.
9. The RIBA stage 4 (Technical Design) has been developed during 2024 by Stantec via Balfour Beatty through the SCAPE Framework service. The Design & Build route was followed allowing valuable Early Contractor Involvement (ECI). This has provided much needed advice on fabrication, cost, programme and installation methodology. Technical Approval in Principle has now been received from the Oxfordshire County Council for the bridge design.
10. Input from the Balfour Beatty project team throughout 2024 has also allowed the key temporary works designs to be developed and informed discussions with stakeholders such as the Environment Agency ('the EA') to understand the permissions required and the constraints to working adjacent to, and lifting in the new bridge, over the river. A Flood Risk Activity Permit (FRAP) to outline the proposed methodology has been submitted and agreed with the EA and is currently being updated to reflect some additional details around the installation methodology and reflect the revised construction dates. The updated FRAP is expected to be agreed in the coming weeks.
11. On this section of the Thames the EA has an embargo on closing the river to traffic, and therefore on lifting the bridge sections, over the summer months. Through discussion it has been agreed that lifts from early September onwards would be

acceptable and this has formed one of the key milestones from which the overall construction programme has been developed.

12. The second key driver when looking at the construction programme has been to ensure critical works such as the main bridge lifting operations are carried out outside of the season of highest flood risk for the Oxpens site. Flood risk tends to increase from November through to April. The flood risk and the EA constraints have led to a construction start date programmed in early spring 2026 with a main lift over the river in September with a target completion of early 2027.
13. Work is underway to enter into a S38 Agreement with the Oxfordshire County Council in relation to the adoption of the path and bridge when complete. Agreement is also sought with SERCO Leisure Ltd to amend the eastern boundary within the ice rink lease to accommodate widening of the footpath and for a temporary construction access across the ice rink frontage. Liaison is also taking place re the timing of works on Oxpens and their enabling works on the Meadow,, which were recently permitted, to ensure there is no conflict between different construction activity. The entering into of these types of property agreements is delegated to the Director Property & Assets.
14. A Delivery Agreement is required for the construction of the bridge. Balfour Beatty has developed a cost plan for the delivery of the bridge which would be finalised as part of the contract process. Alternative routes to construct the bridge have been explored should they be necessary.

### **Bridge Costs**

15. Following delay to the project whilst the judicial review was heard, costs have increased due to programme prolongation and construction cost inflation. Therefore, additional funding has been sought to bridge the gap. This funding is sought to allow construction to take place in 2026 to avoid further delay and cost increases. This increase is estimated as requiring a further £3.7m, including contingency.
16. The Council is working with potential funders including the University of Oxford and Homes England to meet the increase in costs. This report seeks delegation to enter into the necessary funding agreements should additional funding be agreed from these, or other parties.
17. Negotiations are taking place regarding the detailed project costs. These negotiations are commercially sensitive and as such, are as set out in the confidential appendix 2 of this report.

### **Programme**

18. As noted above, since planning permission was granted for the new bridge further discussions have taken place with the Environment Agency and it has been agreed that the bridge could be craned into position in September, avoiding the period of greatest flood risk. As a result, a programme has been developed to enable the bridge to be delivered during 2026. There is no construction work planned for 2025.
19. The following milestones show the timing of key elements of the programme:

Pre-construction Services Delivery Agreement with Balfour Beatty	Completed March 2025 – this included technical approval of the detailed design by Oxfordshire County Council.
Enter contract to build bridge	November/December 2025
Commence site works	February/March 2026
Bridge Lift	Early September 2026
Complete bridge & landscaping works	February 2027

20. In April 2022, a written request was sent to Oxfordshire County Council to extend the original completion date for the bridge of March 2023 to December 2023 and an amendment to the funding agreement was signed. A further revision to the funding agreement has been agreed by the Oxfordshire County Council to reflect the latest project timeline. Cabinet approval to enter into an amended the agreement with Oxfordshire County Council for this extension of time is sought.
21. The project needs to move to a position where a Delivery Agreement can be signed to then commence onsite works in early 2026. This work will include but not be limited to agreeing the terms and conditions within the Delivery Agreement, agreeing the final price for the works together with a programme and allocation of risks along with any additional ancillary agreements required. The work to compile all of this and pass through both the contractor's and Oxford City Council's governance is expected to take until late Autumn 2025.
22. Once the bridge is complete the Oxfordshire County Council will be responsible for the maintenance of the bridge under the terms of the s38 agreement and agreement is sought for the bridge to be transferred to them. This was the basis on which the Growth Deal funding was accepted by the Council and is consistent with the Oxfordshire County Council taking on the future maintenance responsibility.

### **Alternative Options Considered**

The following alternative options were considered:

23. Not to deliver the proposed bridge and return funding currently held. This option has been rejected as funding currently secured would be lost and future delivery is likely to be more expensive and have an increased impact on the Council's ability to secure future funding. Not to deliver the bridge at all would result in a longer route between the west of the city and the city centre and increase pressure on the footpath alongside the Castle Mill Stream which is narrow and cannot be widened due to the proximity of the stream and residential frontages.
24. To delay the delivery of the bridge. This option was rejected as further delay is only likely to increase the cost of delivery and potentially impact funding held. In addition, if the bridge works were delayed they could clash with the enabling works on the Oxpens Meadow approved as part of the OXWED scheme at Oxpens (22/02955/FUL). As it would not be possible to have both works taking place at the same time this could add further lengthy delay.

## **Financial implications**

25. The original funding for the bridge was provided by central government via the Oxfordshire Growth Deal, for which the Oxfordshire County Council is the Accountable Body. Furthermore, Housing Infrastructure Funding (HIF) from Homes England was secured for path works to be implemented alongside the bridge. These funds are held by the Council. If it is not possible to spend the Growth Deal funding it will need to be returned to the Oxfordshire County Council minus funding agreed on design and staff costs. The funding would need to be returned within 30 days of a request by the County Council. HIF funding for path works could still be used even if the bridge did not go ahead but would require a revised design and delivery approach.
26. However, as noted above, delays have resulted in an increase in costs estimated at £3.7m including contingency. Therefore, further work is being undertaken to close the funding gap. This report seeks to secure delegations to enter into all necessary agreements for these external funds and approval to allow for the associated increased budgetary provision for the Oxpens River Bridge project, subject to the receipt of funds. As such, if external funds are not secured to meet the funding gap, then it is unlikely the bridge will be delivered in line with the programme outlined above.
27. Irrespective of where the additional funds are coming from, the Oxpens Bridge project budget will need to be increased within the Capital Programme. The Council's Capital Strategy provides that after the approval at Full Council in February of the Budget and Capital Programme, the Cabinet may approve any capital project for which there is funds within the approved capital budget as approved by full Council. To provide for the necessary budget headroom for the Oxpens bridge project within the existing overall approved envelope of the Capital Programme, this paper seeks approval to increase the budget envelope for the project by £3.7 million through the virement from underspend within the Capital Programme.
28. Three areas of the current capital programme have been identified where funding can be vired within 2025/26 without impacting existing projects and programmes. These areas are £2m from the Capital Salary budget where budget is due to be reprofiled due to slippages in the programme this year, £1m from the Planned Maintenance budget which would leave sufficient funding in budget for the current time and £0.7m from the SCS and energy works where the budget is not required this year.
29. The report also seeks a delegation to authorise entering into contract with the contractor to undertake the work. This will be a fixed price contract to limit exposure to the Council. The Council would only enter into this contract if adequate additional external funding has been secured.
30. As part of the funding agreement with the Oxfordshire County Council, the bridge will be adopted and maintained by them, so this liability will not sit with the Council. The report seeks the ability to transfer the bridge to the County Council once adopted.

## **Legal issues**

31. Under Parts 4.5 (10) 4.5 (11) and 19 (17) of the Constitution Cabinet is responsible for the decisions set out in the recommendations in this report. Under section 9E (3)

(c) of the Local Government Act 2000 Cabinet is empowered to delegate its functions to officers.

32. Due to the estimated value of spend, the procurement of consultants, contractors and external legal advisors to support the delivery of the bridge it will need to be carried out in accordance with the Procurement Act 2023 and the Council's Constitution. The Legal Services Team can, support and advise on the procurement process and provide the contract documentation needed. Any decision, following the procurement process, to award a contract of £750,000 or greater will be a Key Decision and will need to comply with the procedure for taking Key Decisions set out in the Council's Constitution.
33. The approval of Cabinet is sought to delegate the securing of grants and to allow the Group Finance Director to increase project budget within 25/26 through virements between capital cost centres where there is underspend in the current year and these are in line with the Council's Policy Framework and within the approved budget envelope. Cabinet can approve such virements in accordance with the Financial Procedure Rules provided that it does not alter the overall Capital Budget, a matter reserved to Council.
34. To construct the proposed bridge a series of approvals and agreements are required, not limited to the potential new funding agreements, variation of existing funding agreements, the s38 agreement and Development Agreement. This is a non-exhaustive list and therefore delegation is sought to allow for the Council to enter into all agreements for the construction and transfer of ownership of the bridge.

### **Level of risk**

Risk Register attached as Appendix 1.

35. Risks have, where possible, been mitigated throughout the detailed design phase. Nevertheless a number of risks remain particularly around securing funding in sufficient time and the JR process. Construction risks also remain for a project such as this including delay due to weather, unknown ground conditions, necessary approvals, transport of the bridge sections and installation and delays which have cost implications as set out in the risk register. A construction risk register has also been developed through the PCSA with a costed allocation of construction risk and funding identified in addition to normal contingency.
36. If the bridge does not proceed there would be the need to return grant funding connected directly to the bridge and potential risk to HIF funding for path works which are currently proposed to be delivered as part of the bridge delivery.

### **Equalities impact**

37. The Equality Act 2010 Section 149 places a duty on public authorities to have regard to the need to eliminate discrimination, harassment, victimisation, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

38. Equalities Impact Assessment exists to ensure no discrimination, direct or indirect exists within the project planning and structure. It also exists to ensure that appropriate funding uplifts are included where additional works may be needed to ensure equity of service.
39. An “Initial Equalities Impact Assessment screening form” was undertaken in July 2022. This was used to shape the design of the infrastructure. The detailed design of the bridge has been subject to separate technical approval processes to ensure compliance with current standards not just in construction but also for accessibility.

### **Carbon and Environmental Considerations**

40. The bridge is intended to encourage greater walking and cycling within the city and reduce the number of trips by private vehicle.
41. The greatest opportunity to reduce carbon happened at the early stages of design, when the “build less” principle was the focus. The alignment of the bridge has been selected to create as direct route as possible between Osney Mead via Grandpont and the city centre. By minimising the length of the route it reduces the materials needed which helps reduce the carbon impact of the scheme.
42. Ensuring the design provides a positive user experience will also contribute to the sustainability of the project. The pedestrian/cycle only bridge itself will encourage modal shift, encouraging more journeys to be undertaken by cycling and walking thereby reducing car journeys. This promotes active travel and reduces vehicle use.
43. Alternative designs and construction materials were considered to minimise embodied carbon. After considering a number of options for construction materials, and how they addressed acceptance by the adopting authority (Oxfordshire County Council), maintenance, longevity, placemaking requirements and visual bulk & identity. Some of the other constraints were the need to provide vertical river clearance for watercraft and headroom for cyclists on both towpaths, whilst limiting span lengths and delivering shallow tie-in gradients to existing ground levels that provide access for maintenance.
44. When assessing timber bridge options, the navigation clearance was compromised by the depth of construction, the durability and design life, likely requiring two bridges in the life of the steel bridge proposed with the associated disruption and additional carbon and capital costs. The adopting authority, Oxfordshire County Council also stressed the requirements to meet its adoption standards and approvals would not be achieved by a timber structure. The combination of these constraints led to the bridge material section of steel with steel/concrete piers to provide durability of the structure, facilitate easy maintenance over the river and to meet the adoption requirements.
45. The scheme is being designed to ensure at least a 5% Biodiversity Net Gain in accordance with the planning policy in place when the planning application was submitted.



## Conclusion

46. The delivery of the proposed bridge would facilitate walking and cycling and fulfil a gap in the existing network. Considerable work has taken place to reach a point where the key permissions and approvals are in place to enable the delivery of the bridge in 2026. The bridge costs have increased and therefore this report seeks delegated approval to proceed subject to the necessary budget being secured.

<b>Report author</b>	Roland Parsloe
Job title	Regeneration Manager
Service area or department	Economy, Regeneration and Sustainability
Telephone	01865
e-mail	<a href="mailto:rparsloe@oxford.gov.uk">rparsloe@oxford.gov.uk</a>

### Background Papers:

List the background documents and, if possible, link to them.

All background papers must be listed in accordance with the Local Government (Access to Information) Act and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. This includes, any material which discloses facts or matters on which the report or an important part of it is based and which have been relied on in the preparation of the report. Each document must be listed and a copy of each document made available to members and the public on request, (or they should be directed where to find it if it is already published on the Council's website). All confidential, exempt, copyrighted and published works are EXCLUDED from this requirement.

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| 1 | <a href="https://mycouncil.oxford.gov.uk/ieListDocuments.aspx?CId=527&amp;MId=7378">https://mycouncil.oxford.gov.uk/ieListDocuments.aspx?CId=527&amp;MId=7378</a> |
| 2 |   |
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