

BRISTOL CITY COUNCIL

DOWNS COMMITTEE

January 27th 2014

Report of: Service Director, Environment and Leisure

Title: Barbecue use on the Downs

Ward: N/A

Officer Presenting Report: Robert Westlake, Downs Ranger

Contact Telephone Number: 0117 9736210

RECOMMENDATION.

That the Committee considers a recommendation to permit barbecue use in one designated area at Circular Road.

Summary

The use of barbecues on the Downs has been a much discussed agenda item for this Committee. The recommendation acknowledges that elimination of barbecue use is likely to be unachievable and seeks to better manage the situation.

The significant issues in the report are:

- Barbecue use on the Downs contravenes the bye laws.
- Current resources will not permit effective policing.
- Barbecue use is popular.
- The trial period has not presented any significant problems.
- The designated area falls within a Site of Special Scientific Interest.

Policy

Not applicable

Consultation

Internal

Richard Bevan, Manager, Parks Estates, Play, Cemeteries & Crematoria.

John Williams, Estates Manager,

Andrew Gordon, Estates Management team leader,

Mike Allan, Finance Business Partner,

Becky Coffin Conservation Officer,

Richard Ennion, Horticultural Services Manager,

Terry Hannan, Head Gardener, Blaise & Downs

2 External

Mandy Leivers, Education Officer,

Jack Penrose, FODAG.

Chris Westcott Natural England

Context

The problem of barbecue use on the Downs has been an issue for some time and has appeared as an agenda item for this Committee on numerous occasions.

The proposed designated area falls within the curtilage of a Site of Special Scientific Interest and should this Committee accept the recommendation consent will be required from Natural England.

The main objections have centred on the use of readily available disposable

barbecues because of:

- (a) The damage caused to the grassed surfaces of the Downs.
- (b) The litter generated as a result of the activity and the spent barbecue left behind.
- (C) The smoke and odours generated as a result of this activity.

Past attempts to control the practice have included prominent signage, increased security patrols, public education and police advice. There has been some limited success. Most visitors, when informed of the bye law do desist, claiming that they were unaware of the bye law contravention. Police have advised that this would be considered low level crime but would respond should a visitor fail to respond to a reasonable request to desist.

It is unlikely that a successful prosecution could be brought for this activity.

Should a prosecution ever be brought the Downs Committee could be perceived as draconian and out of touch in their approach to managing the Downs.

It is unlikely that this activity can ever be completely eradicated.

In 2011 Committee agreed to permit for a twelve month trial period the use of barbecues in a small designated area located at Circular road. Land recently cleared of scrub and set back in a partly wooded area was selected. Twelve stone slabs were installed, large bins installed and signs indicating the location positioned.

The location was monitored and the Downs team included this area within its cleansing programme.

The prolonged wet weather during the summer of 2012 was not conducive to barbecue use so no meaningful data could be gathered as to the success or otherwise of the initiative. Committee agreed to extend the trial period for a further twelve months. That trial period has now concluded and the recommendation to permit barbecue use in this one area is based on the outcome of the extended trial period.

Conclusions:

The designated area has permitted Down's staff and security personnel to redirect users away from more sensitive areas of the Downs.

There has been no significant increase in litter or damage to grass sward in the designated area.

This particular previously 'closed' area has now been opened up and encourages a wider cross section of visitors.

The trial area was well used during the summer of 2013. This was due to a significant improvement in the weather. The spent barbecues deposited in the bins indicate that over the busiest weekends (Friday – Sunday) over 100 units were removed from site.

There have been no public complaints emanating from the designated area.

Barbecue use is a very popular recreational activity for many citizens, particularly for many residents around the Downs who have no gardens or limited access to open spaces.

If Committee is minded to accept the recommendation better signage advising visitors of location and correct barbecue protocol is advised.

Committee should be aware that if the recommendation is accepted barbecue use on other parts of the Downs will still occur.

Proposal

N/A

Other Options Considered

N/A

Risk Assessment

N/A

Equalities Impact Assessment

Before making a decision, section 149 Equality Act 2010 requires that each decision maker considers the need to promote equality for

persons with the following “protected characteristic”: age, disability, gender reassignment, pregnancy, and maternity, race religion or belief, sex, sexual orientation. Each decision- maker must, therefore, have due regard to the need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010
- ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to-
 - Remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular steps to take account of disabled persons’ disabilities):
 - Encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to – tackle prejudice; and – promote understanding

Legal and Resource Implications

Legal

The Clifton and Durdham Downs (Bristol) Act 1861 provides that the Downs should remain as a place for the resort and recreation of the citizens of Bristol, and that a committee should be appointed to manage the. The recommendations of this report are within the powers conferred by this statute.

Financial

(a) Revenue

Financial advice provided by Mike Allen, Finance Business Partner

(b) Capital

None.

Land

The land is under control of the Downs Committee

Personnel

N/A

Appendices:

None

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**Background Papers:**

None