

BRISTOL CITY COUNCIL

DOWNS COMMITTEE

7TH July 2014

Report of: Service Director, Environment and Leisure

Title: Downs Management Report

Ward: N/A

**Officer Presenting Report: Andrew Gordon,
Heritage Planning and Partnership Officer**

Contact Telephone Number: 0117 9639194

RECOMMENDATION:

Members:

1. Reconsider whether or not to allow a second item of OTIS training equipment on the Downs.
2. Note the agreed location for the Oscar Tuazon temporary artwork.
3. Consider the proposal to move BBQ area from its current location to a new location off Ladies Mile.
4. Note progress made by BCC legal Team to try and resolve issues with the neighbouring land owner at Sea Walls.
5. Consider the proposals for ways of raising additional revenue on the Downs.

Summary

This report reflects the objectives of the Downs Management Plan and to inform members of progress since the last meeting.

The significant issues in the report are:

- Enjoyment
- Access
- Working Groups
- Landscape
- Wildlife
- Management and Resources.

1. Policy

Not Applicable

2. Consultation

a) Internal

John Williams, Estates Manager.
Andrew Gordon, Estates Management team Leader
Mike Allen, Business Manager
Becky Coffin, Conservation Officer
Richard Ennion, Horticultural Service Manager.
Terry Hannan, Head Gardener, Downs and Blaise

b) External

Mandy Leivers, Avon Gorge and Downs Biodiversity Education Officer
Jack Penrose, FOD + AG
Chris Westcott, Natural England

3. Context

a) Enjoyment:

Members resolved at the last meeting to allow the installation of a second item of OTIS Outdoor Training Equipment behind the Downs changing rooms. However, unfortunately a short while after the meeting the straps on the existing equipment ,at Ladies Mile, were found to be in poor condition and considered unsafe to use. As result of this, the owner was asked to explain why the equipment was allowed to get in this condition, to replace the straps, to provide a system of monitoring the condition, to provide a risk assessment. (see attachments A & B). All of these requests have been met by the owner and the evidence circulated to members. The owner apologies for the condition of the equipment and has explained this was due to a personal crisis and asks if members would still consider allowing the second item of equipment to be installed in the location stated.

Members have been consulted and agreed to a location for the Alnolfini to install temporary artwork produced by Oscar Tuazon (See attachment C for location plan). At the request of the Ward Cllr, Henleaze, Stoke Bishop and Westbury-on-Trym Neighbourhood Partnership were also consulted on the proposed location for Oscar Tuazon Artwork and potential BBQ area in future and the location was supported.

Following on from the verbal report by BCC Nature Conservation Officer at the last meeting, that Natural England (NE) have only given consent for the BBQ for one year, the reasons for this decision are as follows:

1. The BBQ is in an area directly within the SSSI and adjacent to the goat enclosure. There is a risk that fire could spread to the goat enclosure as well as damage the SSSI.
2. When decisions were made originally about where the BBQ area would go, there was no consideration for the future management objectives for the area that was selected. There is an action in the Downs Management Plan for this year to expand the areas managed as meadow. This area is part of the SSSI being looked at by the Avon Gorge and Downs Wildlife Project. NE have not yet considered how the area can be managed for nature conservation but consider the BBQ is not compatible because of the degree of trampling and fire risk.
3. All owners and occupiers have a legal obligation to maintain SSSI features of interest in favourable condition, based on the conservation objectives of the site.

In view of NE position, BCC Conservation Officer has identified a possible alternative BBQ site (within the same proposed location for the Oscar Tuazon artwork) which avoids species-rich grassland. This is a sufficient distance from residential properties to avoid any concern regarding the smoke being considered a nuisance, is far enough from the road not to be a H&S issue, and is within an area that is partially enclosed by patches of scrub which will help to screen it from the rest of the Downs. In her opinion there is no obvious reason as to why having the BBQ area here, should have more of an impact on the rest of the Downs, than it does where it is currently.

b) Access:

The in-house security team continue with patrols across the Downs with only very few significant incidents being reported with the exception of an incident where people were found to be throwing bottles and cans over the Sea Walls cliff face. Security have focussed on patrolling this area at weekends and so far we have no further reported incidents.

c) Working Groups

Traffic Management Group:

Key points of the last subgroup meeting held in 10 April 2014 have been circulated to members.

Rock Fall Group:

At previous meetings Committee have been kept updated on a serious rock fall at Sea Walls and a smaller rock fall incident at Bridge Road. The latest updates on these areas are as follows:

i) Sea Walls:

At the previous meeting it was explained to members that responsibility

for undertaking negotiations with the neighbouring land owner to a) secure access to carrying out the rock stabilisation works at Sea Walls and b) compensation claim for rock that has fallen on the neighbour's land from the cliff face owned by BCC, had been passed to BCC Legal Team. The solicitor (acting for the Council as land owner) reports that payment (a licence fee) has been requested by the neighbour for access to the land. The professional advice on the access payment is being sought but no figures are available at this time. If no agreement can be reached it will be necessary to ask the Courts to decide on this matter under the Neighbouring Land Act 1992.

The manager of the Sea Walls flats, Parsons Brinkerhoff and CAN Geotechnical the contractor selected to carry out the works, have all been informed about the on-going negotiations with the neighbouring land owner and the delays this will cause to the project. A site meeting has been arranged for 26 June with the neighbouring land owner's agent.

To remind members of the costs associated with this project a summary is set out in table below:

Works	Costs excluding VAT
Revised Parsons Brinkerhoff estimates for designing and organising the rock stabilisation works.	£9745 (original estimates £8,600)
Contractor (CAN Geotechnical) carrying out the rock stabilisation works	£87,000
Construction and Development Management role provided by Parson Binkerhoff	£4,900
	Total cost £101,645

The contractor CAN has confirmed that that they will honour their original quote of £87,000 for 60 days from 28.05.14.

ii) Bridge Road:

Rock Fall Group members have been already been circulated the revised Parsons Brinkerhoff fee estimates of £7340 (for obtaining new estimates, producing a detailed design of rock bolts, tendering rock bolts and preparation of specification for annual tactile inspection and vegetation clearance) as set out in the their letter dated 23 April 2014 as well as the estimate for the cost carrying Construction Development Management Coordinator role of £6045 + VAT check giving a total cost of £13,385 . However due to concerns raised about the costs, and

proposed stabilisation methods sub-group members have discussed other options including the use of a retaining wall and they have come to the conclusion that the best option is as proposed by Parson Brinkerhoff set out in the option report dated February 2014 (see attachment D. In summary this includes:

A. South West of previous failure

1. Annual tactile inspection and scaling to be undertaken under the supervision of an engineering geologist (in terms of cost this will need a separate quote from a specialist contractor like Rope Works. (Parsons Brinkerhoff will draw up a specification to carry out the works).
2. Annual vegetation clearance with particular focus on removing and treating any significant woody vegetation and associated roots.
3. Installation of untensioned or tensioned anchors as required following detailed inspection and assessment.

B. North East of previous failure

Installation of drape meshing from the face crest.

Parsons Brinkerhoff have provided a fee estimate for obtaining revised contractor estimates, designing the works, tendering the work, providing a specification for annual tactile inspection and vegetation clearance totalling £8,960 which has been approved by the Downs Rock Fall group. Approval from Environment and Leisure Service Director and Bristol City Council People Panel has also been sought.

In addition two other estimates for carrying out the CDM coordinator role have been sought to check value for money. Only one has been received totalling £6,414.40 + VAT therefore members are recommended to accept the Parson Brinkerhoff estimate of £6045 + VAT. Therefore the estimated costs, for the works, even before any stabilisation works have been undertaken, are £15,005. Please note that separate estimates will need to be obtained for carrying out annual tactile inspection and vegetation clearance, once the specification has been produced by Parsons Brinkerhoff.

To protect the public from further rock falls until rock stabilisation works can be carried out Heras fencing will be erected along the rock face. Please note Heras fencing previously erected to protect the public was stolen.

d) Landscape:

The works to the new playground have been completed and it has been opened. Members may wish to consider if and when they want to formally open the site. The access track reinstatement work is yet to be completed and this is expected to happen by the end of July. Whilst the turf has established well, part of the site which was only reseeded has not properly established and as a consequence it has now been turfed except one small area.

As result of wear and tear and the exacerbated prolonged wet weather this winter football provision for the Downs and University Leagues had to be curtailed due to the condition of the playing surfaces. The season needed to be extended to accommodate postponed matches. Football pitches have been reinstated and are expected to have recovered in good time for the next season.

The Funderworld site has now been reinstated by the Downs Team using top soil and chain harrowing. Next year Downs Team will ensure greater use of tracking to reduce the damage to the site.

e) Wildlife:

The goats continue to thrive in the Gully; the long wet spell during the winter had no adverse effects. The named person as the goats legal guardian has now been changed to Heritage Planning and Partnership officer to reflect the retirement of the Downs Ranger.

FODAG members continue with valuable assistance in the management of the livestock.

The Education Officer continues with a busy schedule. Activities for February are detailed in attachment E)

f) Management and Resources:

The Downs team continue with the spring/summer programme of works, carrying out day to day response maintenance in line with the Downs Management Plan, the annual plan and the Avon Gorge Management Plan and in line with the Parks and Open Spaces Grounds Maintenance specification.

On-going general maintenance includes maintaining summer bedding, managing the goats, clearing litter and emptying litter and dog bins, grass cutting, cleaning signs and shelters, graffiti removal, shrub bed maintenance and maintaining herbaceous beds.

4. Finance

A meeting was held with a member of the Events Team, Heritage Planning and Partnership Officer, the Master and Downs Committee Finance Officer to look at possible options for increasing the amount revenue that can be raised on the Downs. It was agreed the following would be investigated:

1. Reviewing the charges received from the University and Downs Leagues

for maintaining the football pitches and changing rooms.

2. Reviewing annual charges to the Zoo for using the Downs for parking.

3. Looking at allowing additional events on the Downs which would bring in significant revenue. This is being addressed under separate agenda item by the Events Team.

4. Obtaining possible further agri-environment funding from Natural England and Rural Payment Agency.

6. Retendering existing concessions and tendering new ones. With respect new tenders members are asked to consider appointing a project officer to carry out a feasibility study for putting out to tender concessions for mobile and static refreshment units (not selling ice cream) located at/with boundary of the new playground and at Sea Walls. Both these locations will require providing power points or modified points to enable the concession holder to operate without using fuel powered engines.

Risk Assessment:

No Risk Assessment has been carried out

5. Public Sector Equality Duties

5a) 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 characteristics”: 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.

6. 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 them. The recommendations of this report are within the powers conferred by this statute.

Financial

(a) Revenue:

(b) Capital

None

Financial advice provided by Mike Allen. Business Partner.

7. Land

The land is under the control of the Downs Committee.

8. Personnel

Not applicable

Appendices: A & B Otis Risk assessment

C – Location of Oscar Tuazon Temporary artwork

D – Options report Parsons Brinckerhoff

E – Activities of Downs education Officer

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers: None

OTIS RISK ASSESSMENT FORM

Please complete one sheet for each Risk Assessment

The model risk assessment form will highlight a number of hazards and recommended control measures but are not exhaustive and therefore the form below requires amendment to reflect the hazards being faced by the establishment.

Workplace; Clifton Downs

Risk Assessor; Peter Faulkner

Task

Outdoor gym

Date; 30/07/13

Review Date; On installation

Description of Hazard (likelihood)

- 1 Slips, trips and falls; 2
- 2 litter – glass, sharps; 2
- 3 damage to equipment; 1
- 4 weather; 3
- 5 entrapment of limbs. 1
- 6 Use by unqualified personal trainers. 1

Consequence of Hazard (severity)

- 1 Minor injury, 1
- 2 Cuts 1
- 3 Minor injury 1
- 4 Slipping if used in extreme weather 1
- 5 Minor injury 1
- 6 Soft tissue injury or stains 1

Persons at Risk

All users

Control Measures in Place

- Bi-monthly inspections made to all areas to ensure that they remain in good condition;
- Weekly inspection carried out by the site team to ensure that equipment is maintained in a good condition;
- Hazard reporting procedure in place;
- Surface suitably cleaned;
- Put a recommendation that people using Personal trainers check their insurance details, on the equipment

Please mark appropriate number (1 = very low, 6 = very high) and Risk Priority Rating

Likelihood : 1 2 3 4 5 6

Severity : 1 2 3 4 5 6

Risk (Likelihood) 10 (Low)

Risk (Severity) 6 (Low)

High (19 – 28) Medium (12 – 18) Low (1 – 12)

Management action taken and implementation date(s)

Signature of Manager

Name of Manager

Date

OTIS Weekly checks. Date;		
Check	Check ok, Y/N	Action
Strap attachment to frame		
Strap attachment to handles		
Strap attachment to body sling		
Strap attachment to foot harnesses		
Flooring		





**Bristol City Council
Horticultural Services**

**Proposed location for temporary sculpture
and future BBQ area**

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ENVIRONMENT & LEISURE

Scale : @A3 1:2,225
Date: 09/05/2014



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DIRECTORATE

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**Avon Gorge and Downs Biodiversity Education Officer's Monthly Report
May 2014**

Events

- The 'Tree Gazing on Clifton Down' walk, led by Tony Titchen, took place on a beautiful evening. 9 of the 15 people who'd booked attended.
- Ed Drewitt gave a fantastic talk called 'A passion for peregrines' which was attended by 62 people.
- Despite torrential downpours occurring in the hour beforehand, the 'Bristol onions and gorgeous goats' walk took place under leaden skies and an amazing rainbow. The walk, which was part of the Bristol Walking Festival, and co-led with Martin Collins from FODAG, was attended by 19 people (26 had booked).
- 15 people had booked on the 'Tea making and tonics' course. Unfortunately torrential rain on the morning of the event seemed to dampen the enthusiasm of 6 participants who simply didn't turn up. For those that did come, the tutor Max Drake ran a superb course.
- We have been invited to take our display and leaflets to the Islamic Cultural Fayre, held in Eastville Park, in August. This will be a great opportunity to engage with a wider audience.
- The July – December events programme was finalised and sent to the printers.

Interpretation

- The Downs Bird and Lichen trail leaflets were reprinted. 3,000 copies of each title were produced.
- The large-print, audio cd, and braille versions of the 'Discover the Wildlife of the Avon Gorge and Downs' leaflet were sent to three groups who work with people with visual impairments and other disabilities. Subsequently, one group has requested that I give them a talk later in the year.
- Work began to update the interpretation panels for the Avon Gorge rare plant display in the Zoo. The text has been amended and images selected.
- The Downs Family Summer Trail leaflet was launched. Its availability was promoted through our Facebook page and on the project website. Printed copies are available from the Downs Tea Room.

Publicity

- On 1st May, Radio 4's 'The Open Country' show came from the Avon Gorge and Downs. Presenter Felicity met with Libby Houston (the botanist who works in the Gorge), Ben Skuse (the Goat Keeper), Francis Greenacre (Local Historian, Merchant Venturer and member of the Avon Gorge & Downs Wildlife Project steering group) and Ed Drewitt (Peregrine expert). During the programme they talked about the amazing wildlife and history of the area. <http://www.bbc.co.uk/programmes/b041yjy5>
- Joss created posters for our 'Tea making and tonics' and 'Music with Mummy' events and put them up in the Downs Tearooms and Blackboy Hill notice board.
- Joss sent regular posts to our social media platforms advertising events, activities and showing photos of what we've been doing. Popular posts this month include photos of the Downs taken by a participant on the 'Bristol Onions and Gorgeous Goats' walk and a photo album of the ringing of this year's peregrine chick.
- Details of the events for the rest of the year have been sent to the Zoo marketing team so that they can be included in listings to the media and Primary Times. Also, the Zoo webmaster has put the events on the Zoo website.

Festival of Nature (13th – 15th June) – Wild Bristol tent

- We have been busy preparing our resources for the festival. We have designed a 'Peregrine chick checker' play area for our tent where children can weigh, measure and ring toy chicks. There will also be a 'Peregrine picnic' activity for children to match pictures of prey remains with pictures of the birds that peregrines eat. This activity works alongside an adult display about Ed Drewitt's research into peregrine diets.
- We have also been preparing materials for our pre-festival peregrine project with Hotwells school. In the first week of June, the children will visit the Downs to learn about the peregrines. Back at school, they will create fabulous falcon sculptures which will be on show, in our tent, at the festival.

School education sessions

- 27 children from a Year 1 class from Hotwells school took part in a 'Discover the Downs' session.
- Over one morning 86 Year 3 children from St John's Primary took part, in rotation, in 'Discover the Downs', 'Tree trail' and 'Wildflower treasure hunt' sessions.

- 24 children, as part of a Home Education group, took part in a 'Tree-mendous fun' session. The group organiser wrote feedback saying, *'We attended your very brilliant workshop yesterday for home educated children on trees. Thank you!'*
- 30 children from St Peter's school (Pilning) spent a day on the Downs with us, taking part in 'Mammal detectives' and 'Habitats' session. This was the first time this school had taken part in our sessions.
- 29 Year 2 children from SS Peter & Paul school took part in a 'Butterfly Lifecycle' session.
- 57 children from Years 2 and 3 of St Werburgh's school visited for 'Tree-mendous fun' and 'Butterfly lifecycle' sessions.
- Ashton Gate school bought two Year 6 classes, a total of 54 children, to the Downs for 'Habitats' and 'Hairy Conservationists' sessions.
- A class of 29 Year 4 children from Hotwells school visited for a 'Habitats' session.

Playscheme sessions

- Joss emailed our summer playschemes programme to 45 contacts.
- As a result of this, so far four playschemes have booked a total of 12 sessions for the summer holidays. One of these playschemes, Red House (Westbury Park), is new to us and has never booked a session before.

Volunteers and work experience students

- During May, 6 volunteers and 3 people on work experience gave 62.75 hours of their time. Five of these people were volunteering with us for the first time.

Other

- I attended an initial meeting to look at ideas for access and recreation improvements in the Avon Gorge.
- I've registered interest in being on a steering group for a potential Green Capital Year Avon Gorge festival.
- A wonderful lady called Sarah Williams presented us with a cheque for £150. Born with Marfan Syndrome (a connective tissue disorder that affects the eyes, heart and feet), Sarah set up her own charity, Smiling Eyes International and raises funds for local and international charities. We have agreed with her that the money will be used to teach people of all ages about peregrine falcons and will fund resources for the Bristol Festival of Nature (13th – 15th June) and our Festival of Nature Downs Discovery Day (12th July).

31st May 2014
Mandy Leivers
Avon Gorge & Downs
Biodiversity Education Officer