

THE DOWNS COMMITTEE

Clifton and Durdham Downs (Bristol) Act 1861

Agenda

7. Public Forum (Pages 2 - 8)

To consider items of Public Forum sent to the Downs Committee. Interested parties can submit a written statement of approximately one side A4 to the Downs Committee by sending it to Democratic Services by no later than 12pm Friday 21 January.

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STATEMENT 1 – ANDREW LYNCH – Downs Committee 24 January 2022

I note the overspend of almost £230,000 in the Downs Committee's budget following the legal battle this committee engaged in with Downs for the People.

I do not think I am alone in thinking that this was an outrageous abuse of the public's trust in this committee and in its ability to act in a fiscally sensible manner.

Yet there seems to have been no repercussions. Nor a shred of remorse.

Although this committee operates under an Act of Parliament, there is still time for it to recognise a fault line in its composition.

Last year the council introduced rules that prevented people who do not live within the precincts of the City of Bristol from addressing the council.

Yet the public has no say about the Merchant Venturers who sit on this committee, some of whom are not even residents of the City of Bristol.

These members enjoy representation without taxation.

Thus to those members who do not pay council tax in Bristol, I say: you should look to your consciences and resign with immediate effect.

Downs for People public forum statement: information, engagement and governance

I Summary

1.1 *Downs for People (DfP)* is drawing attention – yet again – to the Committee’s deplorable lack of transparency and accountability. The Committee has again refused to provide information relating to our court case. Our requests for information on, and involvement in, the review of Downs strategy and governance have been ignored. The review is being conducted behind closed doors. We sought a meeting with the Society of Merchant Venturers, which was also refused.

1.2 This is not how a statutory body should behave, and changes must be made. We have asked the City Council to conduct an internal review of the refusals to provide information on our court case; we are calling on the Society of Merchant Venturers to give Clifton Down to the city; and we want this Committee to be replaced by one that is fit for purpose.

II Background

Information on court case.

2.1 *DfP* made formal requests under the Environment Information Regulations 2004 on 27 September and 8 November last year. The Lord Mayor wrote on 14 December refusing information for the second time. We have asked the City Council to conduct an internal review, a necessary step before referral to the Information Commissioner. We do not accept the reasons given for refusal. ***We would remind the Committee that the regulations anyway specify the minimum that must be disclosed, not the maximum the Committee can reveal if they wish.*** Council tax payers have a right to know how much of their money was squandered on a hopeless court case, and why.

Review of Downs strategy and governance

2.2 *DfP* pointed out in June last year that a review of the Downs Committee was needed. We asked to be involved. We were encouraged when a wide-ranging review of Downs strategy and governance was announced at the beginning of July. The Lord Mayor held a meeting with stakeholders in October, focusing on criteria for decision-making and funding. *DfP* submitted a paper which also addressed governance issues: we suggested there should be a separate session or working group on these. We also asked for information on how the review would progress and on membership of the review group. These requests were ignored.

2.3 The Committee has not provided any information on the progress of the review. We know there was a meeting of the review group on 13 December but no minutes have been published. The Downs Committee is becoming ever more secretive: in the past it published minutes of all its sub-groups.

Meeting with the Society of Merchant Venturers

2.4 We sought a meeting earlier this month with the Society of Merchant Venturers, which has a critical role to play in the reform of governance. The issues we sought to discuss included the ownership of the Downs; the Society's financial contributions; Downs Act amendments; and Merchant Venturer representation on the Downs Committee. Our request for a meeting was refused.

The way ahead

2.5 These repeated refusals to engage will not do. The Downs Committee is unfit for purpose and major changes are needed urgently. We can see no reason for the Merchant Venturers' continuing involvement. They have been exercising power without responsibility for too long. We are calling on them to give Clifton Down to the city, with a significant financial dowry, especially if the City Council assumes the Merchant Venturers' responsibility for the rockfaces. This dowry should also reflect the lack of past financial contributions, and the future cost of maintaining Clifton Down.

2.6 As for the Committee, in our paper in October we pointed out that:

"A Downs Committee created today would be very different. Its detailed composition would not be set out in statute, to allow future flexibility. There might instead be a provision whereby a Downs Committee would be established with its composition decided by Bristol City Council, after public consultation.

A committee set up today would have user and expert representation. Its chair would be chosen by open competition for their interest and competence. The chair would stay in post for at least three years and a maximum of six."

We urge the Committee to resolve to make these changes.

Downs for People, 20 January 2022

Report of the Friends of the Downs and Avon Gorge.

January 24th 2022

FOD+AG welcomes the opportunity to update the committee on our most recent events and some of the activities planned for the coming weeks.

We remain committed to our core values to represent fairly all legitimate users of the Downs and to support the City Council and the Downs Committee in the good governance of the Downs.

The recent activities of the Friends group have been somewhat hampered by recent Covid related restrictions, particularly our ability hold meetings. Our AGM was cancelled but we have been able to complete the formal requirements of the organisation including confirming that current committee members who will serve for a further year. The FODAG committee has been further strengthened by the addition of two new committee members.

The restrictions have not completely halted all our activities. Important practical tasks have been undertaken or are underway. Throughout the winter up to twenty volunteers have regularly turned out to remove deep seated litter from less accessible areas of the Downs. The weekend goat monitoring continues and important work to complete the 'dead hedges' along Circular Road has been undertaken.

With the Downs Education Officer, the Downs supervisor and FODAG volunteers we led a party of Nordic walkers around the Downs to look at different areas of interest.

We have additional projects planned as the winter weather recedes.

FODAG representatives have attended consultation meetings to contribute and comment on proposals from Team Love on their aspirations for future Downs events. We have also met with the developers to raise concerns about

the old St. Christopher's school site. We acknowledge that strictly speaking the location is not part of the Downs but as near neighbours there is the potential for a negative impact, particularly the height of buildings, additional traffic, and removal of significant numbers of trees. We will be commenting on the Planning application.

FODAG notes and supports the renewal of the application for the demolition of the old Seawalls toilet block and the construction of the proposed café/public toilets. We hope that that this long-awaited initiative can become a reality sooner or later.

FODAG volunteers are planning to approach local stores and National supermarket chains to lobby for a change in policy regarding the sale of portable barbecue units.

Numerous FODAG members have expressed support for the Downs committee's promised Strategic Review. The question often asked is when will the Review be published? We would hope that progress can be made before the Lord Mayors tenure as Chair of the Downs committee expires.

As an organisation FODAG constantly keeps our own operation under review. To that end we will be conducting our own review of our current Action Plan. The intention is to ensure we remain relevant and up to date.

Robert Westlake.

Chairman

Robert Westlake

DC Statement – Cllr Christine Townsend Green Party Group Southville Ward

The Nolan Principles cannot be served with the current governance set-up of this committee despite the elected members being bound by them as the Society of Merchant Venturers are not. Nor does the Society of Merchant Venturers make any financial contribution. The Committee's secrecy, incompetence and extravagance have, cost the Bristolian tax-payer hundreds of thousands of pounds and must now be dealt with.

The recent Judicial Review illuminated how public funds were used to defend the indefensible. The settlement demonstrated that the Committee's licensing decisions were, as they had been repeatedly warned, contrary to the purpose of the Victorian piece of legislation that this committee is bound by. Society of Merchant Venturer members led on these decisions.

The Society of Merchant Venturers have sought to involve themselves in the democratic process and influence decisions in this and other arenas which has been well publicised in recent years. The time has come for a complete overhaul of how and why public money can be used by private individuals to further their own views, interests and ideological positions. The elected representatives of the people, including the Lord Mayor, must step-up and address these now pressing issues that run contrary to the democratic society in which we are told we live.

Officers administrating this committee do so as servants of the people paid from the public purse. Yet the contortions exercised in relation to the Freedom of Information and Environmental Information Regulations questions from Downs for People do not reflect this.

Your agenda today does not include the minutes from the Governance Task and Finish Group that previous paperwork indicates apparently met on December 13th. Nor could I find a record of a meeting stated as scheduled for September 8th – Why is that? Where are these minutes? This is unacceptable.

Councillors on this committee cannot claim the role of the elected mayor lacks transparency, openness, avoidable loss of public funds and democratic decision making, whilst simultaneously dragging their feet with inaction and inertia in relation to this committee – that would be hypocrisy of the highest order.

The Society of Merchant Venturers need to hand over the Downs and remove themselves from our governance structures, getting out of Bristol's democracy – removed if necessary. Only those of us with a mandate to represent the people can be in position to make decisions over how our public spaces are managed and how much public money is spent on them. It is the people who have been paying for the upkeep and development of public space, not the Society of Merchant Venturers.