

THE DOWNS COMMITTEE

Clifton and Durdham Downs (Bristol) Act 1861

Agenda

8. Public Forum (Pages 3 - 16)

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Questions

Mark Ashdown

Question 1: I note that it is noted in the latest minutes of the Committee (item 16) that 'the Chair noted that this was an ongoing issue and would like this to be fed into the Committee's work plan for next year.' Given that the Downs Committee has no powers, either under the Clifton & Durdham Downs Act 1861 or the Localism Act 2011 to act on the permission granted to it in its planning application 21/06762/F, what further action is planned for next year?

Question 2: I understood that the committee accepted that its plans would have to be abandoned. Is this not the case?'

Andrew Lynch

"Early last year I pointed out that it appeared some Merchant Venturer members of this committee neither lived nor paid council tax in the City of Bristol.

"Since their actions can result in Bristol citizens footing huge legal bills, as they have recently had to do, that does not seem appropriate.

"More than a year on - and following a lot of work on governance - it is still no clearer who from the society is a council taxpayer on this committee.

"Could these committee members from the society please enlighten the public as to whether they pay council tax in this city?"

Bristol Disability Equalities Forum, David Redgewell

What public consultation has taken place with the equalities and disabled groups

Like the Bristol disability equalities forum.

Over the plans for the cafe and new Toilets at sea wall and proposal to withdrawn this scheme under the equalities act 2010

As their is a need for new disabled toilets including changes places on the Down a major Green space for residents of the city and county of Bristol and the city region and Tourism in city and the south west.

I view of the support and grant from the Department for leveling up for new and improved public toilets and changing placrs what progress is the Down committee and Bristol city council going to make to Bring the scheme forward.

We do not believe that the government or parliament will prevent such a scheme as the cafe and toilet being built

The cafe and toilet have planning permission from Bristol city council.

Like anything on the Down people object

But city and county of Bristol council and the society of Marchants venturesq should work for the city as whole.

It is Bristol disabled equalities forum view the government or parliament will not stop construction of badly need public toilets with disabled facilities and a cafe

As Bristol need more public toilets and cafe provision the scheme should go ahead

South West Transport Network, David Redgewell

What progress is the Down committee making with the city and county of Bristol council Transport executive councillor Don Alexander and the west of England mayoral combined transport Authority and North Somerset council with Metro mayor Dan Norris.

On a Green travel plan for the Downs

On improving and marketing public transport service to the Down .

Including working with visit west the Tourist Board First group plc west of England buses and stagecoach group west buses and first group Great western railway.

Especially with more frequent Daytime service across the Down from Bristol city centre and Clifton Down station,Downs Westbury on Trym, Southmead ?Henbury and Blase castle estate sea mills shirehampton ,Lawrence Weston Avonmouth and all service go to cribbs causeway bus station.

Stockwood Hengrove knowle Bristol Temple meads station/ Bristlington and Arnos vale city centre and park street.

On the west of England mayoral combined transport Authority with North Somerset council bus service improvement plan.

Weekend and evening service are less frequent.

The 505 Southmead hospital bus station Horfield Bishopton ,Clifton Down ,

Hotwells and long Ashton park and ride.

With the opening of the new Park and ride Portway parkway station.

With the park and ride .

And train service to Clifton Down station and from Bristol Temple meads Lawrence hill Stapleton road Montpellier Redland and Clifton Down.

What public transport marketing is the Downs committee working on as part of a Green travel plan.

Including walking and cycling facilities

Cycle and scooters parking .

as part of the city region travel plan .

Has the Downs committee working with west of England mayoral combined transport Authority and North Somerset council metro mayor Dan Norris and Transport executive Don Alexander Bristol city council and councillor Steve Hogg transport executive North Somerset council.

updated its Green travel plans

And reduce access to the Downs by the private car.

Gloucestershire/Somerset Catch the Bus Service Campaign, David Redgewell

Question from Gloucestershire catch the bus campaign and south Gloucestershire disabled Network.

With Bristol zoo moving to wild place In North Bristol South Gloucestershire council area .

What progress is being made about a bus link from Clifton Down station and the Downs to Westbury on Trym Henbury and Blaise castle estate Cribbs causeway bus station and the new Bristol zoo

By First group extending service.

1 Broomhill, Bristlington Arnos vale Bristol Temple meads station Bristol city centre park street Clifton Down station the Downs Westbury on Trym, Henbury Blaise castle estate Cribbs causeway bus station to Bristol zoo wild place Bristol zoo.

It also pass Clifton Down station and the new Henbury station.

As service 622 Cribb causeway bus station Overton Alverston Thornbury yate bus station and chipping sodbury

Has been withdrawn by the west of England mayoral combined transport Authority mayor Dan Norris. and south Gloucestershire council due to funding problems.

This is a very important Green Tourism link so what progress is being made with Bristol zoo and the Down committee and west of England mayoral combined transport Authority Destination Bristol this issue.

We need Green travel plan.

The present bus service and transport plan information on the Downs is out of date.

With just a QR code

Statements

DOWNNS FOR PEOPLE

For ever unenclosed, for all to enjoy.

Public forum statement: review of the past year

1. *Downs for People (DfP)* was set up to stop the zoo using land off Ladies Mile as a car park. We expected to wind up once that was achieved. We have not yet done so because our High Court challenge that brought an end to zoo parking left us with three important issues to pursue:

- **Accountability.** The public had a right to know how much money had been spent on the High Court case and why.
- **Clarity on the statutory framework.** The Committee was confused about its role.
- **Reform of the Committee's governance.** The Committee as constituted was unfit for purpose.

2. We were pleased that the last Lord Mayor, Cllr Steve Smith, recognised the need for change and made significant progress on some issues during his term of office. The current Lord Mayor has continued this work. *DfP* has reviewed what has been achieved and set out its conclusions in an email to Cllr O' Rourke that is annexed below.

3. We welcome the Committee's unanimous acceptance of the set of principles and work plan proposed by Cllr Smith last May and the governance report presented by Merchant Venturer Gillian Camm in October. We are encouraged by the work to establish a Downs Advisory Panel chaired by FODAG. But we are concerned by:

- the continuing lack of openness, consultation and stakeholder involvement;
- the Committee's failure to observe its statutory remit and its pursuit of unlawful activities; and
- the lack of follow-through on the principles, work plan and governance report that have been adopted.

4. We urge the Committee to work with the next Lord Mayor to:

- consult on a work plan, to be the subject of a report at each meeting;
- commission and consult on a recreation strategy;
- clarify the statutory framework;
- adhere to the Nolan principles of accountability, transparency and openness; and
- abolish the Events and Finance Sub-Group, or make its meetings open to the public.

Downs for People, 24 April 2023

ANNEX: DfP email to the Lord Mayor 23 April 2023

Downs Committee: progress over past year

Introduction

Downs for People (DfP) has been reviewing the performance of the Downs Committee during your term of office as Lord Mayor. I expect you will have been doing the same. With your predecessor Cllr Steve Smith and Merchant Venturer Gillian Camm, you have put considerable effort into improving strategy and governance. We welcome these efforts, and the progress that has been made in working towards a Downs Advisory Panel.

But we are disappointed that fundamental flaws have not been addressed. The Committee still shows little grasp of its statutory remit or the Nolan principles of accountability, transparency and openness; and it has continued to squander money on unlawful activities, despite warnings. Recommendations made following reviews have been accepted and then ignored. Administration of the Committee has been poor.

This email describes the state of play at the start of the year, including DfP's objectives. This is followed by an account and assessment of subsequent events. It ends by suggesting what needs to be done next year.

Background: the start of the year

DfP hoped to wind up once our court case had concluded. We found follow up action was needed to achieve:

- **Accountability.** The public had a right to know how much money had been spent on the case and why.
- **Clarity on the statutory framework.** The Committee was confused about its role.
- **Reform of the Committee's governance.** The Committee as constituted was unfit for purpose.

In May last year DfP was pursuing two issues with your predecessor Steve Smith:

- **Facts about the court case.** We hoped to avoid involving the Information Commissioner.
- **Establishment of a working group on governance involving external stakeholders.** Nine other organisations supported this request.

At an Extraordinary Meeting on 20 May the Committee adopted a set of principles and a work plan, despite DfP asking for more time to consider the drafts and our pointing out that they were based on a misunderstanding of the Committee's statutory powers.

The Committee was still pursuing its plans for a café at the Sea Walls despite warnings from the Open Spaces Society that this was unlawful: the Committee had no powers to build or operate a café. Jonathon Baker had said the Committee was consulting Defra about lawfulness.

Events of the year

The key events of the year, from DfP's perspective, are listed in the annex. We recognise that you and some Committee members have worked hard to make progress on governance and other

issues, and that Bristol City Council has been unable to provide significant officer support. We welcome the acceptance by the whole committee that change is needed. The establishment of a Downs Advisory Panel chaired by FODAG offers the promise of significant improvement as long as FODAG retains its current energetic and inclusive approach.

Our main concerns are about:

- **Lack of openness.** We should not have had to appeal to the Information Commissioner's Office to get details of the costs of our court case. The papers prepared for the September meeting should have been published that month, not held till October. Too many papers have been published after the minimum five working day deadline. There are too many oral reports. Too much substantive discussion is still taking place in the Events and Finance Sub-Group behind closed doors.
- **Lack of consultation and stakeholder involvement.** The governance report was prepared without stakeholder involvement, consultation, or public discussion. The governance proposals did not include open competition, as DfP proposed, for membership of the Advisory Panel or Merchant Venturer appointments. There was no consultation on the proposals to make the former zoo parking site off Ladies Mile unusable for recreation.
- **Failure to observe statutory remit.** The Committee still appears unable to grasp that it has a single statutory remit: to keep the Downs open and unenclosed for the public resort and recreation of the people of Bristol. Converting the zoo's former car parks into an unusable wildflower meadow and a money-making car park is contrary to that remit. ***The Committee needs a recreation strategy.***
- **Pursuit of unlawful activities.** The Committee was made aware long ago that it has no powers to either build or operate a cafe. It has still pressed ahead with proposals for a café at the Sea Walls.
- **Lack of follow-through.** There has been no apparent monitoring of the work plan adopted last May since the Downs Committee meeting in June. The governance report adopted in October was abandoned even more quickly: by November the procedures agreed for Merchant Venturers appointments had been ignored and forgotten.

Future action

We hope that your successor will build on your very real achievements, while taking note of our concerns. Their priority tasks should be to:

- consult on a **work plan**, to be the subject of a report at each meeting;
- commission and consult on a **recreation strategy**;
- clarify the **statutory framework**;
- adhere to the **Nolan principles** of accountability, transparency and openness;
- abolish the **Events and Finance Sub-Group**, or make its meetings open to the public.

[ANNEX: calendar of key Downs Committee events from June 2022 \(from the perspective of Downs for People\).](#)

1 June: meeting between Lord Mayor and DFP. The new Lord Mayor, Cllr Paula O'Rourke, met DfP. She explained her commitment to taking forward the work plan, focusing on clarifying the statutory framework and governance. She expected the Committee to consider a report on governance in September, without any involvement from a formal governance group.

2 June: referral to the Office of the Information Commissioner. DfP referred the Committee's refusal to provide information to the Office of the Information Commissioner (ICO) . DfP explained to the Committee that it would withdraw this referral if key information were provided. The ICO expected it to be nine months before the case was considered.

28 June: Downs Committee meeting. Meeting originally fixed for 27 June. Changed only a month before. Main papers not tabled till 27 June. DfP suggested planning application for Sea Walls café should be withdrawn given lawfulness doubts, requested information about its court case (again) and pointed out key decisions were still being taken by the Events and Finance Sub-Group, behind closed doors.

9 September: refusal to publish papers. DfP asked why the papers for the meeting scheduled on 19 September had not been published in accordance with the five working days requirement. The papers included the governance report in which DfP was particularly interested. The Lord Mayor explained the meeting was being postponed because of the Queen's death. She refused to release the papers, claiming this was to comply with regulations. This is not the case. The regulations at <https://www.legislation.gov.uk/ukxi/2012/2089/> specify that papers must be published **at least** five days before a meeting. Five days is the **minimum**, not the maximum, period.

19 October: postponed Downs Committee meeting. Two issues concerned DfP:

- *Governance.* The promised governance report, prepared for September. was published five days before the meeting. DfP welcomed proposed procedural changes on membership and public forum. We expressed doubt that they would last long given the conduct of the review showed that the Committee had already abandoned the principles of openness and involvement it had adopted in May. DfP expressed doubts about the proposal for TrustCo and for a Downs Executive Co-ordinator. It urged consultation with stakeholders in taking the proposals forward. After the Lord Mayor said there were no alternatives, the Committee accepted the recommendations in the report.
- *Wildflower meadow proposal.* Cllr Katy Grant tabled a very late paper seeking approval to turn the former zoo parking site off Ladies Mile into a wildflower meadow with grass long enough to prevent driving. She had consulted only wildlife organisations and the proposal took no account of the recreational value of the site. DfP wrote after the meeting to the Lord Mayor, Cllr Grant and others to register our dismay. We pointed out that the Committee had again lost sight of its statutory recreational remit and asked that the proposal should be put on the agenda for the next meeting of the committee so that people could comment.

9/10 November: costs of court case. Useful correspondence with Cllr Steve Smith about the costs of our court case which he had been pursuing. Still not enough information for us to withdraw our referral to the ICO.

14 November: Downs Committee meeting. DfP tabled two questions, one about land use on the Downs and the other about why the procedures agreed at the previous meeting were not being followed in relation to the appointment of Merchant Venturers to the Committee. The Lord Mayor's initial reaction to the first question was that answering would require too much effort. When assured that this was not the case, it was agreed that the information would be put on a web- site. DfP has so far not been able to find it.

The second question was passed to the Master of the Merchant Venturers. It appeared that he had not read it properly and so failed to answer it in full. In subsequent discussion it appeared that most members of the Committee had not read or had forgotten about the appointment procedures they had agreed in October. These had not been followed. After a confused discussion, it was agreed that Jonathon Baker, who had already served for eight years, should be appointed for another year. The information about the skills of new Merchant Venturers members has never been provided, as it should have been.

In a public forum statement, DfP pointed out that the uses proposed for the two former zoo car parks were contrary to the Committee's statutory recreational remit. Creating a wildflower meadow on the Ladies Mile site would reduce its recreational value, while it was intended to use the North car mainly to raise money. This statement was ignored.

1 December: answer to information request about 2009 and 2013 licences. The Data Protection Manager at Bristol City Council wrote to say that neither the City Council nor the Society of Merchant Venturers had been able to find any documents relating to the licences for zoo parking that had been purportedly granted in 2009 and 2013. DfP was not surprised: the zoo did not need these licences as it already had a long-term one covering this period. The discussion of licences at Downs Committee meetings appears to have been a pantomime played to support the zoo's applications for planning permission.

6 December: correspondence with Information Commissioner's Office. The Information Commissioner's Office (ICO) wrote to say that they had written to Bristol City Council the previous month. The Downs Committee now accepted that the Environmental Information Regulations applied to the information DfP had requested on costs. It would provide this. The Committee did not accept that it was obliged to provide information on legal advice. The ICO agreed with this view.

16 December: costs information provided. Bristol City Council's Data Protection Manager wrote with further costs information. DfP queried one element that was unclear. This was clarified on **12 January**.

28 February: Downs Committee meeting. Originally fixed for 16 January. Papers not published till Wed 22 February, only three clear working days before the meeting. DfP tabled a statement objecting to the proposed Clifton wildlife meadow going ahead without consultation and contrary to the Committee's statutory recreation remit.

Other issues of interest included:

- *Sea Walls café.* DCLG had 'discouraged' any progress. They were unlikely to make an order under the Localism Act 2011 to allow a derogation from the Downs Act.
- *Memorandum of Understanding with FODAG.*

30 March: FODAG stakeholder meeting. FODAG held a useful meeting on how a partnering arrangement involving a Downs Advisory Panel might work.

25 April: Downs Committee meeting. Originally fixed for 13 March. Topics for discussion include the Downs Advisory Panel and making the zoo's North car park a pay and display Downs Car Park.

David Redgewell

We are concerned about the lack of progress on the cafe and toilets on the Downs at sea wall .
There is a valid planning from Bristol city council and the Department for leveling up is awarding grant for new toilets.

The Down committee needs to put residents and tourists first .

The Down is a great public open space for for the community of the city and county of Bristol in its 650 year.

And for Tourist to Bristol and the South west of England.

But the facilities in term of toilets especially for disabled people need improvement and catering facilities on the Downs as a public open space are poor and need improvements.

When you compare the facilities on Exmoor National park or Dartmoor National park or facilities in North Somerset or Bath Somerset.

With investment in public toilets and cafes .

We very much like to see progress on these public toilets and cafe .

Has Bristol city council or the Down committee discussed the issue with the Department for leveling up and Michael Gove mp secretary of state.

The residents of city and county of Bristol have been asking the council to improve public toilet facilities in the city and it's open spaces.

South Gloucestershire council has grant for public toilets provision and is working on a changing places at page park staple hill and the park also has a new cafe .

When the decision was taken to put on hold the cafe and toilet facilities.

What public consultation did the Downs committee take with community groups

Including equalities groups BME community Bristol and South Gloucestershire equalities forums.

The Bristol disability equalities forum has no reference to any consultation.

LGBTQ community in Bristol.

Community groups Parks forum older people forum Destination west

The Region Tourist Board .

Visit Somerset.

West of England mayoral combined Authority in it Tourism economy role with mayor Dan Norris.

There has been petition for more public toilets in the city to the city council.

The city council is working with the private sector on new public toilets and cafes in single Blocks.

So can instead of just listen to a few residents group ground the Downs and Clifton.

Progress these much needed cafe and toilets on the Downs .

We do not believe government or parliamentary will stop the construction of new public toilets and cafe on Bristol Downs when the Department for leveling up is funding and Grant adding public toilets facilities across South west England including changing places.

Please can we have progress on this project.

On the Downs green travel plan.

We would like to see more progress on people being encouraged to come to the Downs by bus and rail Network.

Coach walking and cycling.

With link to the park and ride site at long Ashton and the new Park and ride railway station at the Portway parkway.

On the Bristol Temple meads station Lawrence hill ,Stapleton road Montpellier Redland,Clifton Down station, to sea mills shirehampton Portway parkway new station, Avonmouth Dock st Andrew road and Severn Beach

Bus service across the city region

Service 1. 2 First group plc west of England buses

operate to the Downs including bus route improvement plans from Stockwood Hengrove knowle, Broomhill. Bristlington Arnos vale Bristol Temple meads station Park street Clifton Down station Westbury,southmead, Henbury cribbs causeway bus station

3 ,4 First group plc west of England of buses

Links to stoke Bishop sea mills shirehampton Lawrence Weston Avonmouth Henbury Blase castle estate cribbs causeway bus station.

Stagecoach west.

505 long Ashton park and ride Clifton Down station Southmead hospital bus station.

With the west of England mayoral combined transport Authority and North Somerset council Mayor Dan Norris.

Bus service improvement plan.

The new metro west railway service from Portway parkway station to Clifton Down station on Severn Beach to Bristol Temple meads station with first group Great western railway and the Department for transport and Network rail western route.

West of England mayoral combined transport Authority mayor Dan Norris and Bristol city council.

Trans cymru T7 bus link to chepstow bus station.

What progress is being made on a Green travel plan to the Downs .

With the move of Bristol zoo to Cribbs causeway in North Bristol South Gloucestershire council.

What progress is being made on extending bus service 1 Broomhill Bristlington ,Arnos vale ,Bristol Temple meads station, Broadmead Shopping centre, park street Clifton Down station Downs Westbury on Trym Henbury Blase castle estate, new Henbury station metro west railway, Cribbs causeway bus station to the new Bristol zoo .

We believe the zoo should be link the Downs new zoos Gardens to Blase castle estate and cribbs causeway to the New Bristol zoo.

We look forward to progress on the cafe and toilets including disabled families.

At sea wall.

And on a green travel plan for the Downs including events .

David Redgewell South west transport Network Railfuture Severnside.

Bristol disability equities forum trustee.

South Gloucestershire disability Network.

Gordon Richardson Bristol disability equities forum.

Ian Beckey Gloucestershire catch the bus campaign.



Statement of the Friends of the Downs and Avon Gorge.

April 2023

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

We remain committed to our core value to conserve and preserve for the benefit of all legitimate users of the Downs and to support the City Council and the Downs Committee in the good governance of the Downs.

Partnering Arrangement. Since October of last year FODAG have met with our opposite numbers on the Downs committee Working Group. The group was set up to examine the possibility of a Partnering agreement between both parties whereby FODAG would inaugurate and manage an advisory panel of stakeholders that could provide informed information to the Downs committee and to assist in improving the way the Downs is managed in the future.

At the last meeting of the Downs committee members voted unanimously to accept a Memo of Understanding {MoU}

FODAG would like to put on record our thanks to the Downs committee working group for their patient and helpful counsel and their willingness to debate the proposal.

At the last meeting of the Downs committee FODAG reported that our committee had voted unanimously to support the proposal contained in the paper.

The proposal to form an Advisory Panel is supported by the FODAG committee and many key stakeholders.

At the end of March FODAG hosted a consultation meeting at St. Johns school and invited members, stakeholders from a wide range of organisations and members of the Downs committee. Over thirty delegates with an interest in the Downs attended to hear a presentation from the FODAG chair followed by questions and debate. The proposal to move forward to implementation of the Downs Advisory Panel or from now on for short by the acronym DAP was warmly received by the meeting.

The Friends of the Downs & Avon Gorge will now look to finalise the working details and determine a method of selecting the Advisory Panel.

It is currently envisaged that the Panel will have a maximum of twelve the membership being flexible to include other experts as required.

The Panel will initially be chaired by FODAG with... two further FODAG members. Two further delegates will come from the Downs committee plus representatives of

Bristol City Council. The remainder will at present be invited from the Avon Gorge & Downs Wildlife Project, local Residents Associations, and other key Downs stakeholders. There may be a requirement for input from Council officers to advise on matters of Finance, Events or for legal advice.

FODAG looks forward to progressing an open, enduring and productive association with the Downs committee.

FODAG members will be pleased to hear of the committee's intention to tackle the problem of caravan and van dwellers around the Downs. In view of the escalation of parked units FODAG's view has been revised and we believe a much more robust approach needs to be adopted. Clearly the TRO needs to be modified to make enforcement clearer for all parties. An example is the 5-hour limit which was implemented to accommodate the Zoos requirements, obviously no longer needed. We would further advocate a 'No overnight Camping' rule.

The key to a resolution is in our view down to how the TRO is enforced.

FODAG will support the Downs committee in seeking a solution.

Downs committee members may recall from our last Public Forum statement a FODAG initiative to refurbish the terraced View Point that overlooks the goat enclosure near the Seawalls. A specification was agreed with the Downs Supervisor and a quote was sought from the contractor that carried out the reinstatement to the Victorian steps.

FODAG have received a quotation for the designated works of £2,800 and will now seek to raise the required funding. FODAG seeks the Downs committees permission to progress this project.

I can confirm that the repainting of the White Tree has been completed and the raised flower beds at the Thomas memorial have been weeded and tidied.

The FODAG deep litter team have completed the final pick of the season. The cessation is to avoid any disturbance to nesting birds. The activity delves into less accessible areas of the Downs and is designed to root out deep seated litter. During the same exercise pathways through the Downs Dumps were cut back to permit easier access.

The Downs Ambassador scheme is now up and running. Volunteers have been allocated specific sectors of the Downs and will report anything of interest or concern to a dedicated email address. The scheme allows for volunteers to monitor their designated sector as part of their own regular Downs routine.

The FODAG magazine has been running a regular column describing the great houses of the Downs and of their inhabitants down the years. The item has proved popular with members and we are looking to expand the written word into guided walks.

It is the intention of FODAG to host a Downs summer party to thank our members for their continued support and to thank the associate bodies that we have worked with. A date is yet to be confirmed but members of the Downs committee will be most welcome.

In recent weeks we have entertained a local group of Nordic walkers, gave a talk to the residents at the Vincent retirement complex and are booked to deliver a Downs talk to Downend Probus.

FODAG wishes to put on record our thanks to the outgoing chair of the Downs committee. It has been a pleasure to work with Councillor O'Rourke during her tenure of the committee.

Robert Westlake
Chair
Friends of the Downs & Avon Gorge