

# Bristol City Council

## Minutes of the Downs Committee

11 March 2024 at 2.00 pm



### **Members Present:-**

**Councillors:** Paul Goggin, Steve Smith, Christine Townsend, Kye Dudd, Paula O'Rourke, Andrew Varney, Mike Bothamley, Bevis Watts and Bourns

### **Officers in Attendance:-**

Steve Hunt and Ben Skuse

## **1 Welcome, Introductions and Safety Information**

The Chair welcomed everyone to the meeting and introductions were made.

## **2 Apologies for absence**

Apologies for absence were received from Councillor Philippa Hulme, Mark Burchfield, Fiona Francombe, David Freed, Kevin Jay (Finance Manager – Growth & Regeneration), Jonathan James (Head of Natural and Marine Environment, Parks), Harriet Shannon (City Events & Festivals Manager).

## **3 Declarations of interest**

None declared.

## **4 Minutes of last meeting**

**Resolved:** That the minutes of the previous meeting on 15 January 2024 be approved as a correct record subject to amending resolution 1 of Minute number 13, to include an additional request to ask the Council to include a no return time in addition to the 3 hour proposed parking limits on the Downs.

## **5 Action Tracker**



The Chair ran through actions from the previous meeting. Further updates were included arising from issues raised during discussion at the meeting.

## 6 Matters Arising From the Events and Finance Group

Noted that there were no matters arising from the Events & Finance Sub Group however members were asked to note the allegation raised in public forum by Downs for People of misrepresentation of both the legal constraints on the use of the North car park and the High Court challenge by Downs for People, and that it be not accepted as this was considered to be an expressed opinion and not part of the litigation process. Because the action had been settled before trial no matters relating to the Downs Act had been litigated and the committee was bound only the consent order by which the action had been settled and its own proper view of the effect of the Downs Act.

The committee noted that reference to the north car park in the E&F Group draft minutes, about the claimant in the High Court challenge was Downs for People and not Mrs Carter. No title was required to be used and for future reference it be noted that Susan Carter's preferred title was Ms Carter. The Master of the Merchant Venturers gave sincere apologies for any offence caused.

The committee was reminded that these minutes were draft and that members had previously suggested that no minutes should be made public until they had been approved.

The Chair allowed Susan Carter to make a response, this was as follows –

- **'Action only by a 'small group'**. *Downs for People* had enjoyed the support of many major amenity groups and individuals. There had been strong objections to zoo parking for decades. In the 1990s amenity groups had forced the city council to take enforcement action against the Downs Committee to make it comply with planning legislation.
- **legal constraints**. Parking on the Downs for non-Downs activities *was* unlawful under the Downs Act. The Committee would have had legal advice to that effect. They settled our case out of court because they knew they were going to lose. Why else would they have offered us twice as much as we could have been awarded by the court?
- **risk of further challenge**. Members should ask to see the previous legal advice. They risked a further challenge if they allowed the north car park to be used for non-Downs activities. The last case had cost about £400k in council tax; the zoo had had to pay £50k in legal fees; and the Society of Merchant Venturers also incurred costs.'

## 7 Public Forum



The following public forum statements were received and noted by the Committee.

1. Colin Knowles Bristol Climbing Community
2. Robert Westlake FODAG
3. Gareth Roberts Bristol Ornithological Club
4. Downs for People Susan Carter

### Response to Statement 1

The Committee's focus was about striking the right balance between the conflicting interests of all users and achieving financial sustainability. The recommendations were only that – recommendations to BCC. If BCC wished to engage with the recommendations that would be when BCC officers would become involved.

## **8 Downs Advisory Panel report**

The Committee received a report from the Downs Advisory Panel noting that it had held a meeting in February at Merchants Hall. Since the last meeting of the Downs Committee the Panel had received over two dozen emails and six phone calls. Every enquiry had received a prompt response and all communications had been recorded. It was the intention of the Panel to make this data available online in the future.

Areas of business considered included the following –

- a) The north Car Park (including the report of the Parking Task and Finish Group) – the Panel detailed its views on this valuable asset and the findings of the Parking Task and Finish Group. Arising from its discussions the Panel made recommendations, as set out in the report, to further increase its potential use both as a much-needed facility and as an income generator for the Downs.
- b) Back-to-Back Music Events – the Panel considered the wide-ranging issues associated with back-to-back events including its income generation potential, the impact such events had on Downs users generally and the impact on local wildlife and biodiversity. The Panel also looked at the advantages of events organised in this way and made recommendations that it felt would enable greater improvements to be made, these were set out in the report.

Members of the committee commented on the DAP report in particular the views of the Panel regarding the van dwellers on the Downs emphasising that this was a complex and city-wide issue with a range of impacts on local communities especially when considered in comparison to other sites in Bristol.

Members noted that the number of van dwellers in the city had increased significantly since 2020 from approximately 150 to 650, it was thought that there were multiple reasons for this but mainly due to the fall out of the covid pandemic, Bristol's high cost of private rented accommodation, the wider cost of living crisis and limited access to social and affordable housing.



It was also noted that the impact of van dwellers on wildlife and biodiversity was more significant than other areas of the city as the Avon Gorge had been internationally recognised as a Special Area of Conservation Interest and nationally designated as a Site of Special Scientific Interest. The Downs was also a Site of Nature Conservation Interest, so there was an imperative to manage the Downs accordingly.

**RESOLVED – That the report be noted.**

## **9 Downs Manager post - verbal update**

The Committee was advised that an appointment had been made and the position offered to Luke Mackenzie. Members gave a warm welcome to Luke.

## **1 Vehicle Dwellers, Bristol - verbal update**

**0**

The Chair referred to a report that had been published by Bristol City Council about vehicle/van dwellers and gave a brief statement on the multiple reasons why people were residing this way. (A link to the report can be found here – ([Appendix A - Vehicle Dwellers - The Bristol Model - Final.pdf](#)).

## **1 Downs Management Report**

**1**

The Area Parks Supervisor summarised his report drawing members attention to the key points of the spring programme of work which included –

- a) Resumption of grass cutting activities.
- b) Cessation of scrub management at the last day of February as after that date the bird nesting season commenced. Members attention was particularly drawn to an area to the right-hand side of the birdwatcher's lookout or Peregrine watch as it was sometimes known. The scrub management work carried out was primarily for ecological benefit however the views that had been opened up of the gorge were now much improved for users of the nearby pedestrian footpath.
- c) A large amount of path re-surfacing had been carried out across the winter including the two heavily used footpaths that cross the Downs from Sneyd Park.
- d) Sincere thanks was given to FODAG volunteers and the community payback team for the invaluable contributions that they make to the Downs.



The appointment of the Downs Manager was particularly welcomed, and sincere thanks was expressed to Timothy Dowling of FODAG who was moving away from the area but had provided considerable support to the work of the Downs over the years which included litter picking, reporting of problems and assistance where possible.

**RESOLVED – That the Management report be noted.**

## **1 Downs Events Report**

**2**

The Events Officers introduced the report and drew members attention to the confirmed events for 2024, as set out in paragraph 2 of the report. No events had taken place since the last Downs Committee.

## **1 Downs Finance Report**

**3**

The Committee received the Forecast report for 2023-24. The key outcome was the forecast deficit had increased by £24k, due to the omission of some Parks support service costs in the previous report.

## **1 Avon Gorge and Downs Wildlife learning and community engagement programme - 4 report**

The Avon Gorge & Downs Wildlife Biodiversity Engagement Manager gave a detailed summary of activities of the Avon Gorge and Downs Wildlife learning and community engagement programme for December 2023.

The Project Manager gave a detailed summary of the work of the Project and highlighted key points –

- a) Nature Works dates for drop-in sessions had now been arranged for August.
- b) Plans to update the website to make it more user friendly and more engaging to the public had been made, volunteers to help enable this were being looked for, the Chair offered to assist with this.
- c) The sponsorship of 3x3's proposal, where members of the public could financially sponsor a 3x3m plot of the Downs or Avon Gorge, the Terms and Conditions would need to be considered by BCC legal team. It was possible that the action or inaction of the legal team could turn out to be lengthier than originally thought.
- d) Sparks project, still waiting for CEO of Heart of BS13 to get back so that this could be progressed.
- e) Members welcomed the report and the activities achieved to date and offered to help progress work where they could in relation to the website update.



**RESOLVED – That the Downs Community Engagement report be noted.**

**1 Any Other Business**

**5**

As this was his last meeting as Chair of the Downs Committee, Councillor Paul Goggin, thanked all members and officers for their work and assistance during the municipal year.

**1 Date of Next Meeting**

**6**

Monday 10 June 2024, 11 am at Merchants Hall.

Meeting ended at 4.00 pm

**CHAIR** \_\_\_\_\_

