

Bristol City Council

Minutes of the Downs Committee

24 January 2022 at 2.00 pm



Members Present:-

Councillors: Steve Smith (Chair), Jos Clark, Paul Goggin, Philippa Hulme, Paula O'Rourke, David Freed (Vice-Chair), Jonathon Baker and Gillian Camm

Officers in Attendance:-

Kevin Jay and Ben Skuse

1 Welcome, Introductions and Safety Information

The Lord Mayor led introductions and issued the safety information.

2 Apologies for absence

Apologies were received from:

MV Mike Bothamley (MV Simon Cooper substitutes)
MV Mark Burchfield
MV Patrick Despard
MV Peter Rilett
Cllr Geoff Gollop (Cllr John Goulandris substitutes)
Cllr Katy Grant
Stefan Edwards (Events Officer)

3 Declarations of interest

None received.

4 Minutes of last meeting

RESOLVED: the minutes of the previous meeting 15 November 2021 are agreed as a correct record.



5 Action Tracker

Letters of thanks to previous members have been issued. There are two actions for the events officer who was unable to attend today's meeting. An update will be issued once he is available.

6 Matters Arising From the Events and Finance Group

A proposal for tree planting on the Downs to mark the diamond jubilee has been referred to the Downs Committee for approval. This involves planting a single oak next to the existing royal oaks near Bridge Valley Road and planting a circle of trees off Ladies' Mile. The cost estimate is around £1500, which is likely to be covered by donors but will be referred to committee if financing is required. It is also subject to archaeological survey.

RESOLVED: proposal is AGREED in principle subject to financing and archaeology report.

7 Public Forum

The following public forum statements were NOTED:

01. Andrew Lynch (appearing in person)
02. Susan Carter, Downs for People (appearing in person)
03. Friends of the Downs and Avon Gorge
04. Councillor Christine Townsend (appearing in person)

In response to these public statements, the Master of the Society of Merchant Venturers made the following statement:

"A number of points have been raised by Downs for People and Cllr Christine Townsend as reported in the press on Friday and I would like to respond.

First, they say that the Society of Merchant Venturers should give Clifton Down to the city with a dowry to cover its future maintenance. Well, the fact is that the Merchants, under the terms of the Downs Act 1861, committed Clifton Down (which they owned) irrevocably to be kept as open space for the benefit of the people of Bristol – at a time when the others were making a fortune out of developing houses all around it. In fact, they bought the land specifically to stop that from happening and have sought throughout the history of the Downs to protect it. As a result of that commitment, any income derived from any activity on Clifton Down has always gone to the Downs Committee.

The Merchants put a great deal of time and effort into the Downs, care about it deeply and gain absolutely no benefit from their involvement. There is a very positive collaborative relationship with the Councillors on the Committee who I believe find our involvement very beneficial. The Councillors are incredibly busy with Council matters and constituency affairs so having help from people with useful skills



who are very focussed on looking after the Downs and at the same time trying to make it self-funding can surely only be a good thing.

Turning now to the recent court case. The North Carpark has been in use since 1922 and the Lady's Mile since the 1960's. Nevertheless, and despite the considerable loss of income to the Downs, it was made clear to DfP that following the relocation of the Zoo, there was no intention for continued use of these areas for parking for off Downs activities. DfP were not concerned about the future of the Zoo nor of the many visitors including people with small children and the disabled who needed to park close by. Frankly, I am at a loss as to why DfP continued with their litigation which simply drove up the costs needlessly. As a group I am puzzled why they feel that they are entitled to demand meetings and should receive preferential treatment ahead of other stakeholders - the Downs are for everyone.

It is in fact an exciting time for the Downs. As a result of the pandemic, the people of Bristol are aware of its immense benefit to the city. It was really good news that 11 different groups attended the recent public meeting, with FODAG amongst others coming forward with a number of suggestions and doing a great job with programmes on conservation, restoration and education. All the members of the Downs Committee are determined to take advantage of this positive input which is what, at the end of the day, is going to keep the Downs as a wonderful open space which we can all be proud of. I can give an absolute assurance that the Society is committed to collaborating with all interested groups who want to move forward constructively.

Finally, the Merchants have and will continue to operate on the Downs Committee in line with the Nolan Principles alongside the Councillors on the Committee."

Discussion notes:

- The Lord Mayor emphasised the value of the Society of Merchant Venturers' contribution to the Committee. They bring important skills, knowledge and connections and are not paid for their time. The committee would be more difficult to run without their help.
- On the governance review, the committee ran a stakeholder engagement event in October, which resulted in very helpful input from 11 different stakeholder groups. There has been work carried out in the meantime by task and finish groups, which has resulted in draft consultation documents that will be considered by the committee today.
- These draft documents have not been published for this committee as they will be the basis for an open public consultation. It will take some time for officers to make them ready for the public.
- The committee is aware that governance can be improved, which is why this consultation is happening. We would encourage everyone to engage positively with the consultation when it is published.
- The Downs Act 1861 imposes legal requirements on the structure and operation of the Downs Committee, which could only be removed by passing new legislation.
- This is a particular issue when it comes to membership, which results in a new Chair every year and the annual replacement of 4 committee members. The lack of continuity and corporate memory makes long term planning difficult.



- Repealing or amending the Act requires an Act of Parliament and is likely to take several years and cost up to £500,000. It was agreed that changing the act could be included as an option within the consultation, along with other governance models that were possible within the Act as it currently stands.
- It could be helpful to have an item on the next agenda in public session that outlines the governance issues presented by the act to give additional context ahead of the consultation.

After this meeting there was a closed session of the Downs Committee so members could discuss the draft documents and approach to the consultation. At the end of that session, it was RESOLVED:

1. That the draft documents be submitted to BCC officers for development into formal consultation documents.
2. That the Strategy and Governance Task and Finish group work with BCC officers on this development and once the consultation is ready, it be published as soon as possible.
3. That the responses to the consultation be referred to the Downs Committee, which may need to hold a specific meeting for this purpose.
4. That committee request BCC legal officers to produce a report outlining the governance issues caused by the Downs Act.

8 Downs Management Report

The Parks Supervisor introduced the report and highlighted the following points:

- The team is still busy with litter collection as vehicle dwellers are using bins on the Downs for waste disposal.
- Football is being played on the Downs twice weekly on Saturday and Wednesday. The amount of maintenance required is heavily weather dependent.
- During January to March 4 to 5 new benches will be installed. Every Wednesday a community payback crew helps with maintenance on the Downs including bench repair.
- FODAG have been very helpful recently with scrub clearing, using it to replace hedges on circular road to direct runners away from flower meadows. It takes a lot of effort to keep these hedges in good condition.
- There have been issues with waste transfer at the observatory, with heavy vehicles damaging the ground. BS is in regular contact with the owner and working on solutions, which he has volunteered to pay for. There is a danger of exposing tree roots, damaging the plants and creating trip hazards. There is previous permission for a drop bollard from this committee, which the observatory will instal to limit access.

Discussion notes:

- The team thanked BS, his team and FODAG for their continuing good work.
- Some members thought that the observatory was only licensed to have vehicle access to the site twice a day.



ACTION BS to discuss situation with observatory and check terms with BCC licensing.

9 Downs Education Report

The Avon Gorge & Downs Biodiversity Education Manager introduced the report and highlighted the following points:

- January would normally be the annual review for the Wildlife Project, however due to staff illness it was not possible to complete the report. This will be presented at the March committee instead.
- The Spring events programme has been finalised in electronic and hard copy. There has been lots of publicity for this and programmes have been distributed to 2,200 people so far. The events are already booking well.
- A recent session for a Higher Education group on bird ringing received very positive feedback.
- The 'Bridge to Nature' project that was postponed due to Covid will be starting up again this year. The project aims to improve the mental health of young people by increasing their contact with the natural world and is supported by Off the Record and FODAG.
- When Bristol Zoo completes its move from Clifton to the Wild Place near Cribbs Causeway, the gatehouse building will remain and is to be converted to an education hub. There is lots of planning taking place around this and the team is confident it will be an excellent base for engagement activities.
- Mandy is currently recruiting for an engagement officer, who will work from March to October. The Wildlife Project only has 2 staff but is supported by a valuable group of volunteers.

Discussion notes:

- The committee thanked Mandy and the team for their continuing high-quality engagement and education work.
- There was a discussion about the Bristol Zoo gatehouse conversion.

1 Events Report

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In the absence of the Events Officer, this report was NOTED. Committee members were invited to email any queries.

Discussion notes:

- There is a full noise report included in the papers for the Love Saves the Day concert.
- The concert was discussed in detail at the Events & Finance Sub-Group. Several committee members have been involved in residents' engagement events so are aware of their concerns.
- The music selection at the concert was unsuitable due to the heavy base and future events will be a different genre.
- While Sea Walls is the obvious site to hold, other locations on the Downs are being investigated for suitability.



- At the October listening event, there was a discussion of other possible events that could be held. These have been captured and included in the consultation documents. One of the questions is a general principle that events should be broad to reflect the needs of diverse users.
- It should be noted that the Downs Committee does not create events of its own volition. The onus is on organisations to approach BCC officers and the committee with their proposed events.
- Covid has a huge impact on the hospitality sector, which badly affected income for the committee. Event management will be critical in future. The committee is aware there is a balancing act between events income and public use of the land.

1 Finance Update

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The Finance Officer introduced the report and highlighted the following points:

- The report shows the forecast for this year along with the budget for 2022/23.
- The 2021/22 deficit is driven by the costs of legal action, loss of events income and additional Covid-related cleaning and maintenance.
- The budget for 2022/23 is set against the anticipated income of a full events programme. This will need close monitoring to ensure delivery.

Discussion notes:

- There was a discussion about the terms used when referring to 'legal action' versus 'judicial review'. It was clarified that a judicial review formed part of the legal action against the Downs Committee, but that it was settled out of court before a judicial determination was made, meaning the judicial review was not completed.

1 Any Other Business

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None received.

1 Date of Next Meeting

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The next Downs Committee meeting is on Monday 21st March 2022 at City Hall.

Meeting ended at 3.00 pm



CHAIR _____

