

Downs Committee – Report of the Working Group on Governance

Report to Full Committee, May 2022

1) Background and Purpose

The Downs Committee agreed in 2021 to set up a working group, reporting to the full committee, to review the principles, structures and processes under which the committee works. The working group held an open meeting with a range of stakeholders in October 2021 and developed a set of draft principles and a draft work plan.

These were published for public engagement in April 2022, and over 1,800 responses were received. This report summarises those responses and presents an amended set of principles and work plan, which the committee is recommended to adopt.

2) Structure and Contents

The public engagement was broken down into sections, and this report follows that structure. The sections are:

- The principles under which the committee operates (sections 4-8 of this report)
- The committee's work plan for 2022-23 (section 9)
- Wider questions on the committee's governance and structure (section 10)

For each of these sections, the report presents:

- The original text of the principle / work plan that was published
- The results of the survey
- Discussion and recommended updates to the documents

The following appendices are also provided:

- Appendix 1 – full survey results¹
- Appendix 2 – amended principles recommended for adoption (with changes from the draft highlighted)
- Appendix 3 – amended work plan recommended for adoption (with changes from the draft highlighted)

3) Recommendation

The report makes 11 recommendations for adoption and / or changes to elements of the principles and work plan. These changes are reflected in the amended versions at appendices 2 and 3.

The over-riding recommendation of the working group is that the Downs Committee should adopt the amended principles and work plan set out at appendices 2 and 3 of this report.

¹ The survey results in appendix 1 include free-text comments summarised into themes. The full text of individual comments is not included to protect the anonymity of respondents.

4) Principles 1 & 2 - Purposes

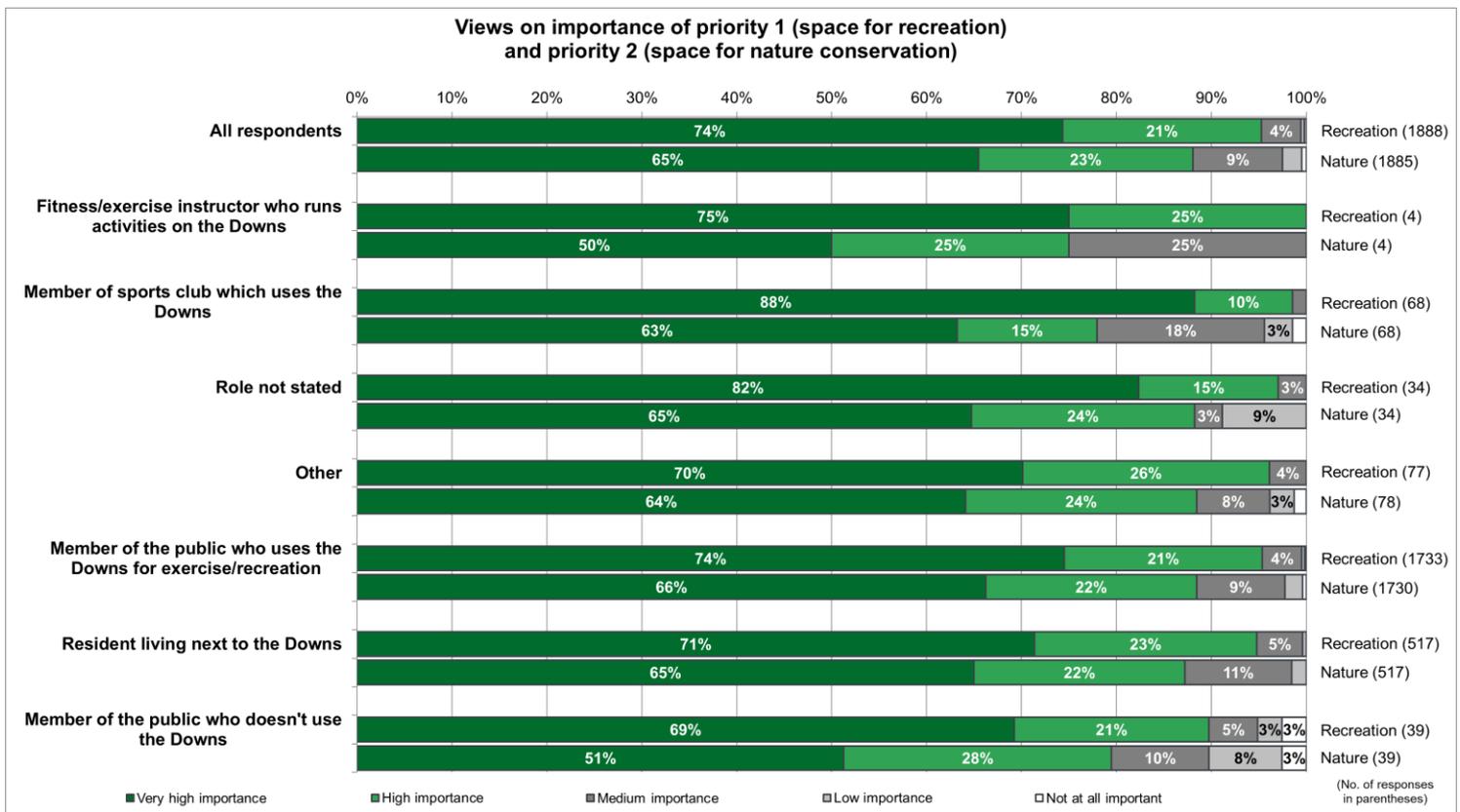
4.1) Original Text

Principle 1 – Space for recreation – Under the Downs Act 1861 the Downs is a “place of public resort and recreation” for all of the people of Bristol. The Downs Committee will always give great weight to this fundamental role in its decision making.

Principle 2 – Space for nature conservation – The Downs also has a critical role as an open green space for nature conservation and education in the context of declared climate and ecological emergencies. The Downs Committee will always give great weight to this role in decision making.

4.2) Survey Findings

Respondents were asked to say how important each of the two principles was to them. 1888 people responded and the results are shown in the chart below:



Respondents were also asked to suggest other fundamental purposes which are not included in these principles. 641 people provided free-text comments, which have been grouped into themes. The additional purposes suggested were:

Suggested Purpose	Number of responses
Health and wellbeing: Space to relax	17
Health and wellbeing: Mental health/wellbeing	13
Health and wellbeing: Physical health/fitness	12
Contribution to environment: Air Quality	22
Contribution to environment: Carbon neutrality	9
A place for education/learning	15
A travel route	4
To generate income	3

4.3) Discussion and Recommendations

There is clear support across all respondent groups for both of the principles proposed. All groups rated the recreational role of the Downs as being slightly more important to them than the conservation role, but not to the extent that one should be clearly prioritised over the other.

The committee considers that the additional purposes mentioned by respondents are inherent in the two over-arching principles of recreation and conservation, but accepts that the principles could be worded more clearly to demonstrate this.

Recommendation 1 – Both principles should be adopted by the Downs Committee, amended to make clear that they include the additional purposes (e.g. health and wellbeing / air quality) referred to in comments.

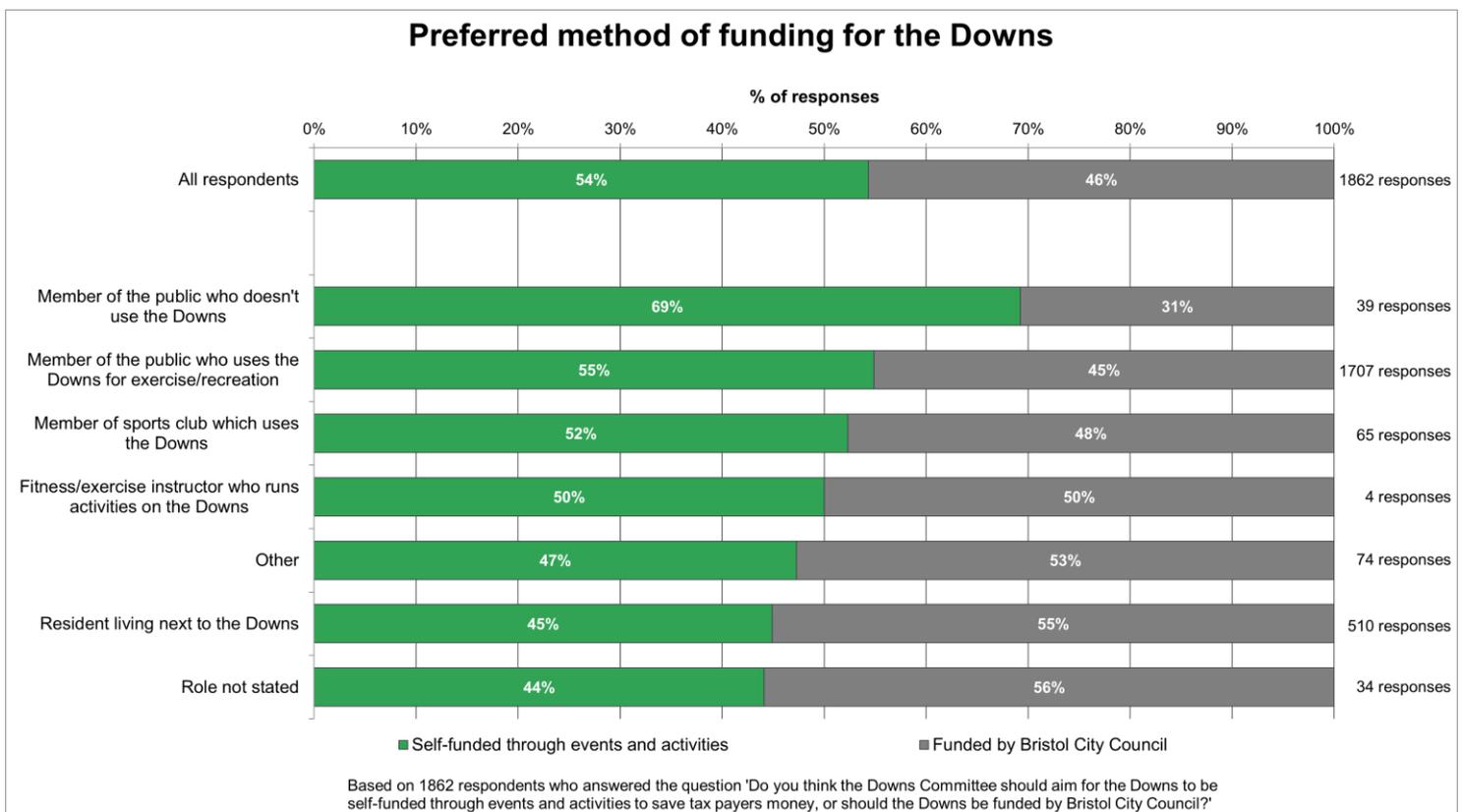
5) Principle 3 - Funding

5.1) Original Text

The Downs Act places a responsibility on Bristol City Council to provide funding for the maintenance of the Downs and the Council accepts this role within reasonable limits. However, the ambition of the Downs Committee is that it should raise all of the necessary funding without recourse to public funds. Bristol City Council may act as custodian of Downs funds, but these will always be ring-fenced under the management of the Downs Committee (the Committee should make detailed arrangements with the Council regarding the management of Downs funds). The Committee should seek to raise funds from as many diverse sources as possible which are compatible with these principles.

5.2) Survey Findings

Respondents were asked whether the Downs Committee should seek to raise the necessary funds to maintain the Downs, or whether funding should be provided by Bristol City Council. 1862 people responded and the results are shown in the chart below.



Some respondents also used the free-text boxes on other questions (e.g. question 10) to say that this binary choice was unrealistic and that a mixed funding model should be adopted.

5.3) Discussion and Recommendations

It is recognised that this question presented a binary choice, which some respondents quite reasonably criticised in their replies. The response shows a mixed view about how the Downs should

be funded, with a large minority believing that the Council should fund their maintenance. The draft principle recognises the role of the Council in providing funding, but of course Council funding for the Downs is not in the gift of the Downs Committee and the City Council has many competing demands on a limited revenue budget.

Recommendation 2 – The draft principle should be adopted with amendments recognising the desire to save public money by raising revenue but allowing for public funding should it be available in future, and also a commitment to consult with stakeholders on any future new funding sources before they are adopted.

6) Principle 4 – Events

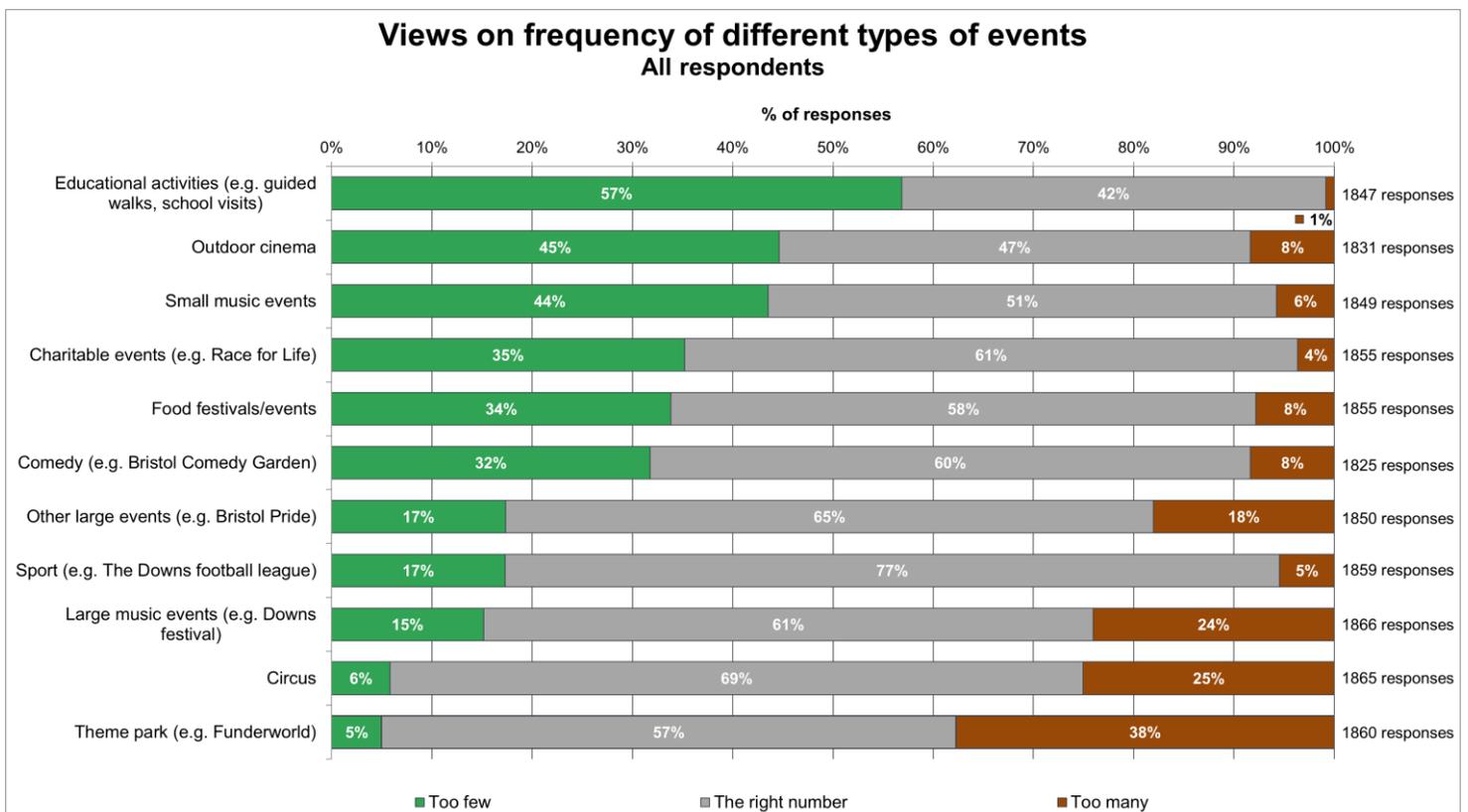
6.1) Original Text

Events held on the Downs are an important part of its fundamental recreational purpose as well as a way of generating funds. The Downs Committee will organise an annual programme of events which fulfils these aims and which provides for as wide an audience as possible. This must always be balanced with the other fundamental purpose of conservation. It must also recognise that temporarily restricting access to parts of the Downs for events has an impact upon other recreational uses. Events can also cause disruption to neighbours and other users of the space. The committee will always be mindful of these impacts when arranging the events programme, and in particular must ensure that the significant majority of the Downs remains fully accessible to the public for a significant majority of the time.

The Downs Committee works with Bristol City Council’s licencing and site permissions teams to manage the process of authorising events on the Downs.

6.2) Survey Findings

Respondents were asked to say for a range of event types whether there are too many, the right number or too few held on the Downs each year. 1847 people responded and the overall responses are shown in the chart below.



The responses are further broken down in the full results at appendix 1 by user group, but show little variance to the overall results shown above.

Respondents were further asked for any specific suggestions. 312 respondents provided free text comments suggesting types of events. These have been grouped into themes and the top ten are:

Suggestion	Number of responses
Flower, garden & plant festivals/shows/markets	57
Events focussed on nature conservation and wildlife of the Downs	43
Wider variety of sports events (rounders, tough mudder, Parkrun, 5K runs, archery, frisbee, etc.)	36
Cycling events (including cycle Sunday)	34
Outdoor theatre/opera/drama	27
Events specifically for younger children & families (family fun days, sports days, egg & spoon, hopping race)	23
Wellbeing/fitness events/classes (yoga / pilates / mindfulness / Tai Chi group sessions)	22
Educational events/learning skills (i.e. history of Downs)	20
Food festival/pop up food & drink/farmers markets (like breaking bread for example)	16
Community events (i.e. picnic)	15

100 respondents also made general comments about events, as follows:

Comments	Number of responses
There are too many events at the Downs	29
Negative sentiment towards the big events (i.e. make too much noise, destroy nature, unwanted crowd)	24
Events are in conflict with purpose of nature conservation and providing open space for recreation	20
Not enough information to answer Q4 on frequency of events	16
Events with large footfall or that create damage should be limited/avoided to preserve Downs	12
Events should be inclusive for all in Bristol (including price of tickets and products on sale)	10
Need for the Downs and events to be accessible	4
Events could be better advertised/have a calendar of events somewhere	3
Events should be in defined areas to leave open space for other recreation	3

6.3) Discussion and Recommendations

The results show that for most event types the majority of people felt that the current provision was right, and / or would prefer more events. There was a particular appetite for more educational events and smaller events (e.g. cinema or smaller music events). This preference is supported by the free-text comments.

Educational events are largely provided by the Avon Gorge and Downs Wildlife Project, in which the Downs Committee is a partner and funder. Our draft work plan, which is discussed later in this document commits the committee to continuing this work.

There is clear support here for events to continue to run on the Downs, and the committee will take into account these findings when making decisions on applications by event organisers.

Comments made against both this section and the work plan (section 9 below) referred to managing and mitigating the impact of larger events on the Downs' natural environment. Recommendation 9 below includes the creation of a conservation plan which includes proposals to manage this.

Recommendation 3 – the draft principle should be adopted, with the addition of a reference to supporting smaller and more diverse events where possible. An item should be added to the work plan to review ways of enabling smaller community events to take place.

7) Principle 5 – Buildings and Infrastructure

7.1) Original Text

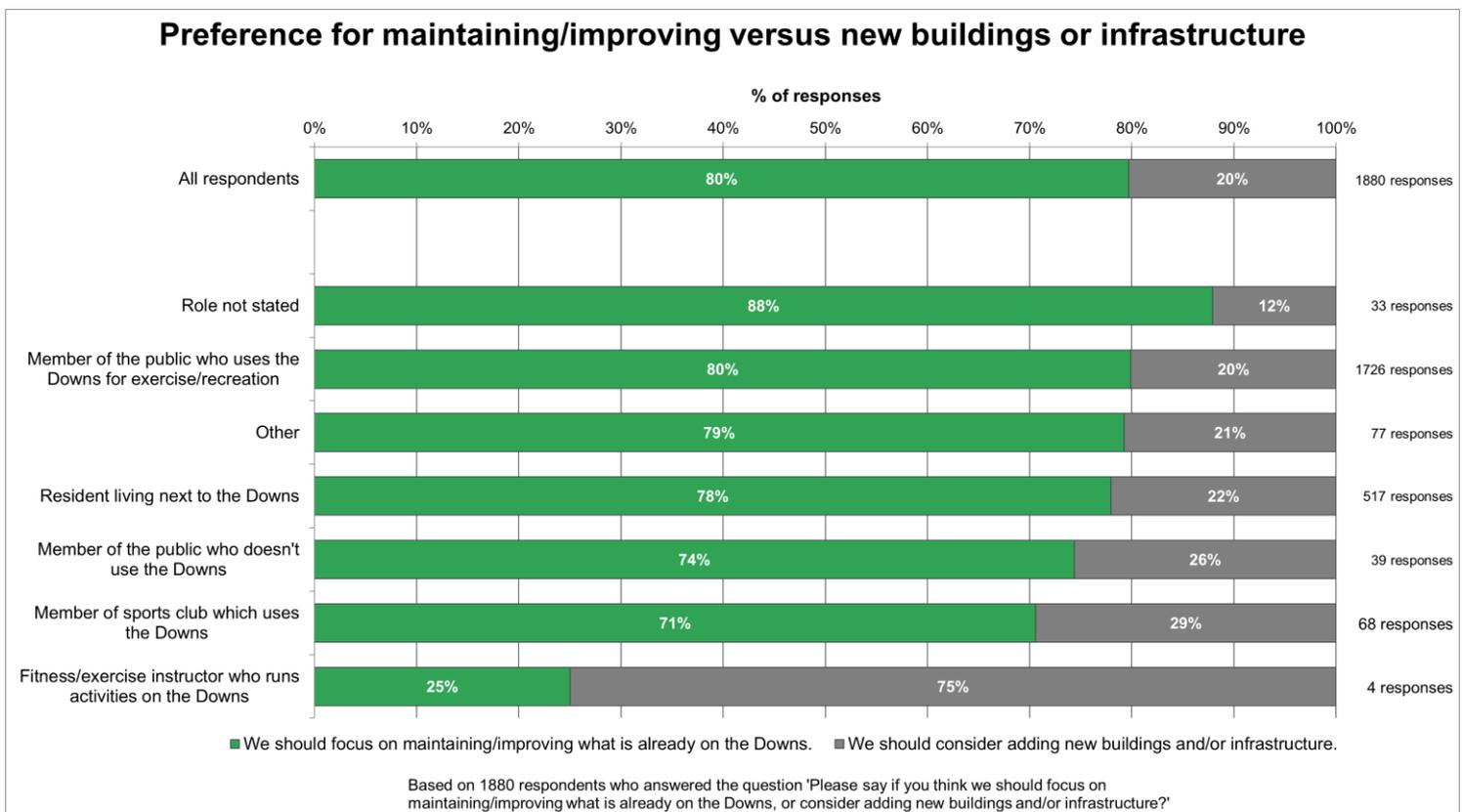
The Downs Committee will not sanction any development which fundamentally alters the character of the Downs as an open green space, or which harms the fundamental objectives described here. The Downs is protected from development under the Downs Act and general planning law and nothing in this document changes or outweighs those statutory protections.

Public highways on the Downs are the responsibility of the Highways Authority (Bristol City Council). The Downs Committee has no jurisdiction over them.

There are existing buildings and other infrastructure (paths, sports and play equipment etc) on the Downs, and developments will focus primarily on repairing, updating or where necessary replacing these existing items in a way which is compatible with these principles. Any proposal will be resisted unless there is a strong case that it supports the principles.

7.2) Survey Findings

Respondents were asked whether their preference was to focus on maintaining / improving the infrastructure which already exists on the Downs (as per the draft principle) or whether the committee should consider adding new buildings or infrastructure. 1880 people responded and the results are shown in the chart below.



Further asked “Is there any specific project or type of projects that we should rule in or out?”, 934 respondents provide free-text comments. These have been grouped into themes or common responses. The top ten themes in responses were:

Theme	Number of comments
Expressions of support for the proposed Sea Walls Café	189
The Downs should be maintained as an open space and development avoided	188
More / improved toilets are needed	125
More / improved foot or cycle paths are needed	49
New play area(s) are needed	41
There should be no residential development	39
Oppose café	37
Roads, car access or parking should be reduced or removed	33
Development should be for amenity value, not commercial benefit or private profit	22
No / nothing to add	21
Vehicle dwelling / overnight camping on the Downs should be prohibited	21
Suggestions for visitor centre / education space	21

7.3) Discussion and Recommendations

The survey results strongly support the intention expressed in the draft principle to focus on maintaining or improving existing infrastructure and resist any new development unless there is a strong case that it supports the Principles.

Recommendation 4 – the draft principle should be adopted unamended.

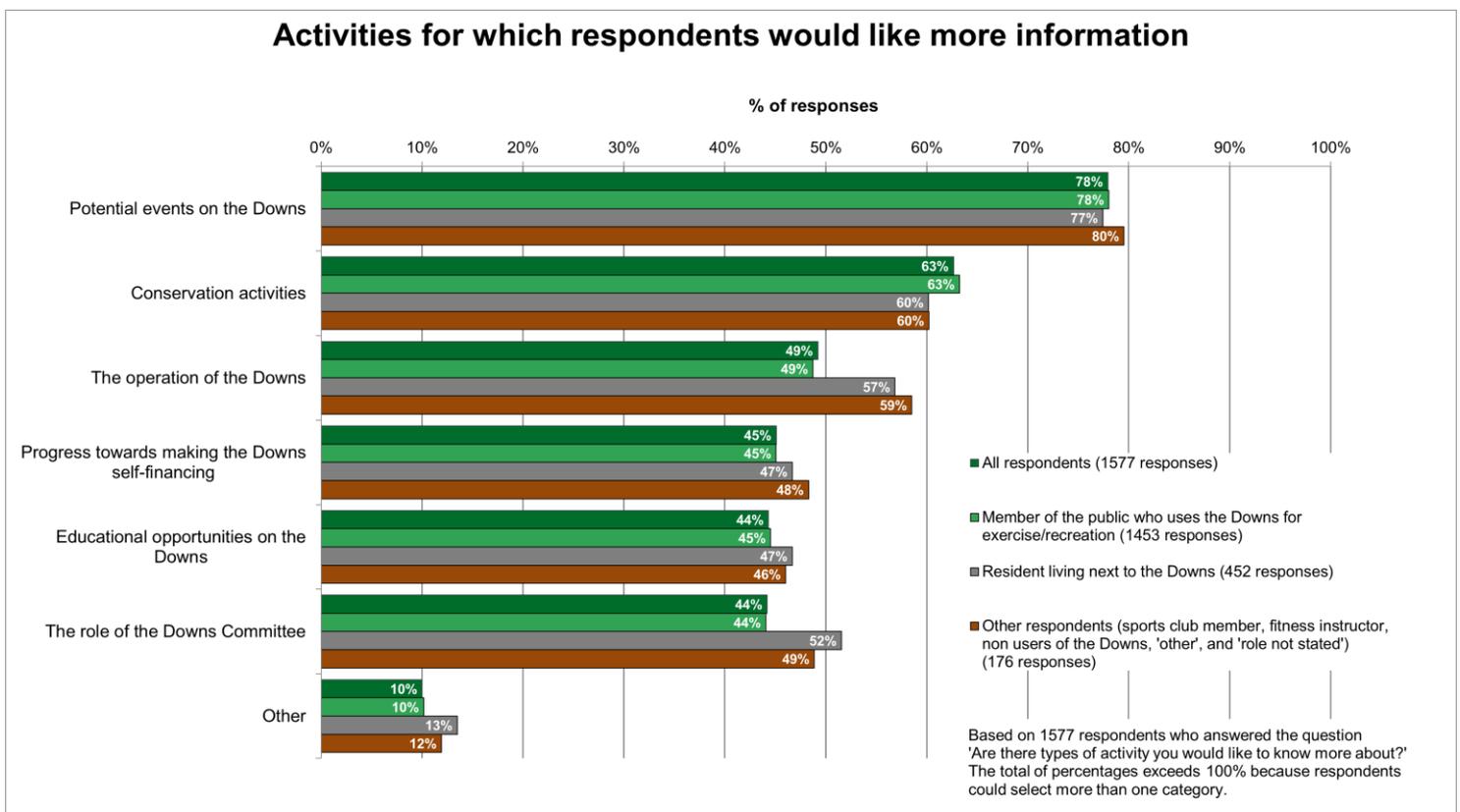
8) Principle 6 – Openness and Involvement

8.1) Original Text

The management of the Downs should be as open and transparent as possible (subject always to necessary legal and commercial confidentiality). Under the Downs Act the responsibility and authority for decision-making rests ultimately with the Downs Committee. The committee will keep its practices and structures under review to ensure that stakeholders (i.e. those who live, work or operate on and around the Downs) and the wider public have the best opportunities to understand, contribute to and challenge the decision-making process. Decisions will be taken in public unless there are legal or commercial reasons for information to be withheld.

8.2) Survey Findings

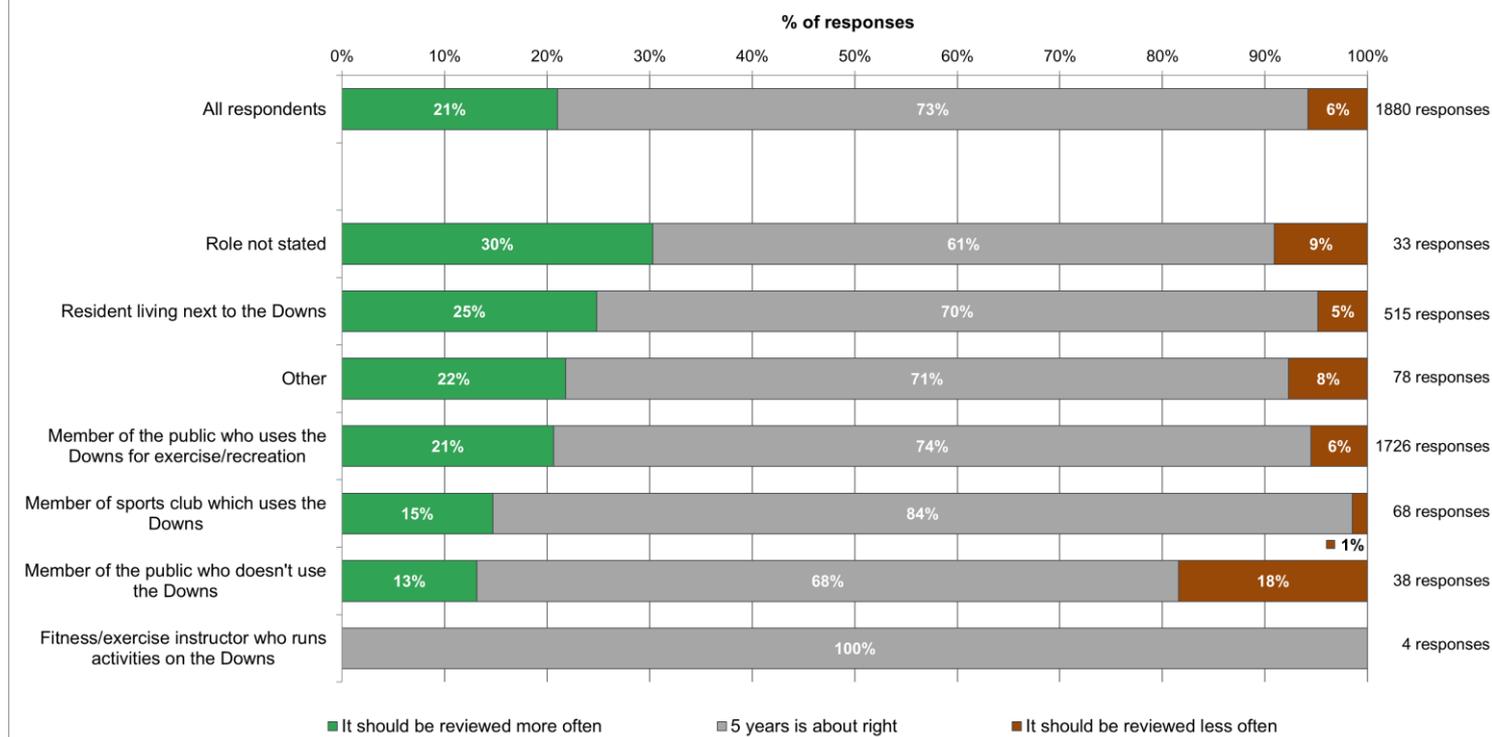
Respondents were asked which types of activity they would like to know more about. 1577 people responded and the results are shown in the chart below.



Respondents also used the free-text responses to the questions on our work plan to raise issues around openness. 36 people requested more information, particularly about events and activities happening on the Downs, and 16 said that local residents should have more involvement in the work of the Downs Committee. Other respondents also mentioned wider stakeholder involvement.

Respondents were also asked about our intention to review the Downs Strategy every 5 years, and whether that was right or whether reviews should happen more or less often. Results are shown in the chart below.

Views on how frequently the Downs Strategy should be reviewed



8.3) Discussion and Recommendations

There is a clear desire in these results for more information both about events and activities which are planned on the Downs, and about the work and decision-making of the Downs Committee. This is reflected in the draft principle, although in its draft form it does not specifically mention public information about events.

The draft work plan also includes actions for the committee to review its structures and decision-making to allow for the involvement of wider stakeholders (including but not limited to neighbouring residents).

Recommendation 5 – The draft principle should be adopted unamended.

Recommendation 6 – The item in the work plan referring to events should be amended to commit to the publication of information about planned events as openly and as early as possible.²

² A list of planned events on the Downs is already published on the Council website at <https://www.bristol.gov.uk/museums-parks-sports-culture/the-downs>

9) Work Plan

9.1) Original Text

The survey presented a list of items proposed to be included in a Downs Committee work plan for 2022/23 as follows:

- Continuing and monitoring ongoing activities such as day-to-day maintenance of the Downs, and the education programme run by the Avon Gorge and Downs Wildlife Project, in which we are a partner
- Approving and updating an annual programme of events, and working with events operators to explore longer term opportunities to collaborate
- Investigating opportunities to increase our range of income, potentially including sponsorships, new commercial activities and charging existing commercial businesses operating on the Downs
- Ensuring that the Downs budget is clear and correct, and that clear protocols are in place for the handling of Downs Committee funds by Bristol City Council
- Clarifying the legal permissions required to carry out construction work on the Downs (focused initially on the proposed Sea Walls Café, but with potential wider implications for other projects)
- Developing options appraisals, business cases and funding proposals for potential projects including the Sea Walls Café, potential refurbishment of the changing rooms and considering future uses of the North Car Park after the zoo has closed
- Considering options to strengthen executive leadership for the Downs Committee, including the potential to create a new post to manage commercial activities and developments
- Reviewing committee procedures and rules, and considering alternative structures which would improve transparency and effectiveness within the requirements of the Downs Act

9.2) Survey Findings

Asked the question, “Is there anything else which you think should be included in our work plan?”, 630 respondents provide free-text comments. 94 of these indicated that the respondent was happy with the plan or did not wish to add anything. The remaining responses have been grouped into themes and the top ten themes were:

Theme	Number of comments
Action to enforce parking and prevent lived-in vehicles from being parked long-term around the Downs	81
Action to enforce other byelaws including use of barbecues, littering and parking on the grass	44
Inclusion of a conservation plan, and / or suggestions for inclusion in a conservation plan	43
Keep the Downs as an open green space with no or minimal events or developments	42
Improve the transparency of Downs Committee work and / or public information about events and other work on the Downs	36

Make improvements to paths, playgrounds or other recreational infrastructure	36
Limit the involvement of the Society of Merchant Venturers in the governance of the Downs	31
Reduce or remove traffic / parking from roads around the Downs	26
Increased involvement of local residents / neighbours in decision making	16
Aim for a mixed funding model with some income generation supported by some BCC funding	14

9.3) Discussion and Recommendations

Points 4-10 raised above by respondents are either already included in the work plan (for example point 9 requesting involvement for residents or point 6 on improvements to infrastructure) or relate to questions asked elsewhere in this survey.

Point 1 relates to parking restrictions which are outside the control of the committee. However, the Mayor's office has previously committed to reviewing these, which the committee has supported.

Recommendation 7 – add to the work plan “Continue to support the Council’s executive leadership in a review of parking regulations around the Downs”.

Point 2 relates to the enforcement of existing byelaws on the Downs.

Recommendation 8 – add to the work plan “review the powers available to the committee to enforce existing byelaws and the resources required to do so effectively for consideration in future budget cycles”.

Point 3 relates to a published conservation plan. This may be said to be implicit in the work plan under the heading of ongoing maintenance and education activities, but many respondents reasonably pointed out that this should be explicitly written into the plan.

Recommendation 9 – add to the work plan “publish and keep up to date a conservation plan including goals and specific activities related to conservation of the Downs natural environment, and safeguards for managing the impact of events and other Downs uses on the environment”.

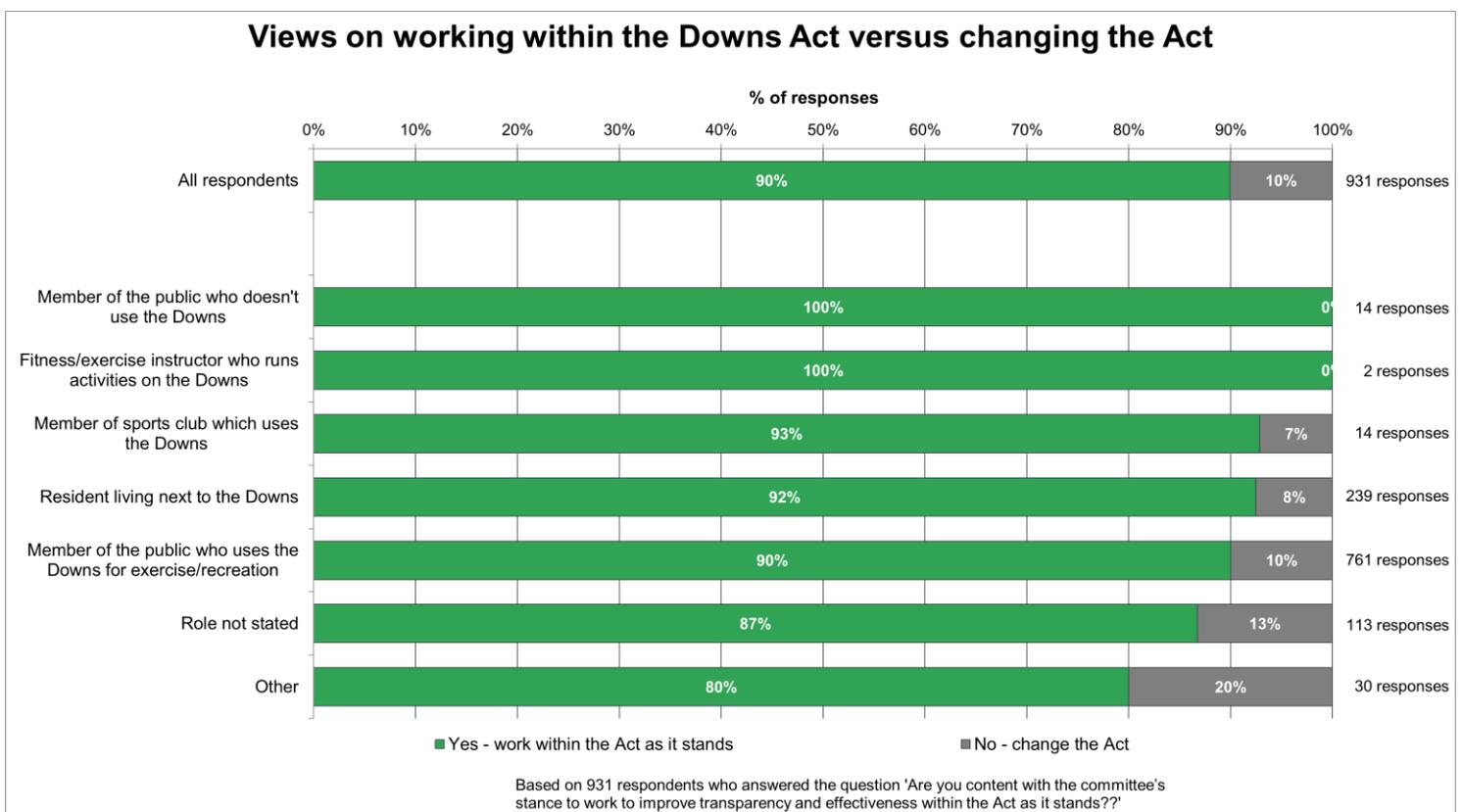
10) Governance

10.1) Introduction

This section of the survey did not present any draft text but sought respondents' views on some wider questions regarding the structure, membership and operation of the Downs Committee. The survey presented information about the current structure and the requirements of the Downs Act 1861. The Committee's stated intention going into this engagement exercise was to aim to improve transparency and effectiveness without changing the 1861 Act.

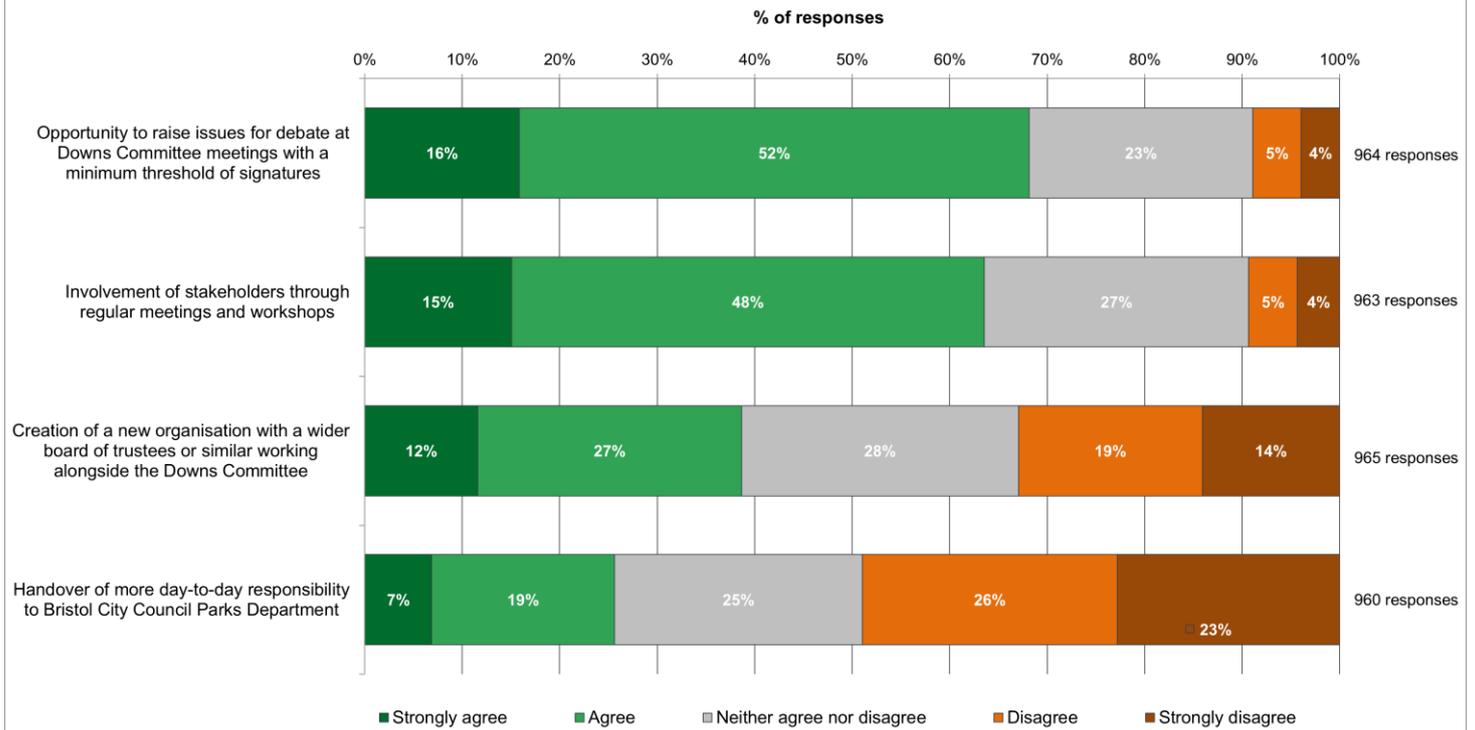
10.2) Survey Results

Respondents were asked whether they were content with the committee's stance of working within the Act. 931 people responded and the results are shown in the chart below.



Respondents were then asked what changes they would like to see in the way that the committee works, if they could be achieved within the Act. 964 people responded and the results are shown in the chart below.

Views on making potential changes if they can be done within the Act?



Additionally some respondents used free-text boxes on other questions to give views on the membership of the committee, including 31 respondents saying that members of the Society of Merchant Venturers should not sit on the committee. A handful of respondents also gave the view that the structure should remain as it is, or that Council involvement should be reduced.

10.3) Discussion and Recommendations

There is clear support here for the committee's existing stance, which is not to seek changes to the Downs Act but to look for ways of working within its requirements to improve transparency, participation and effectiveness. The committee recognises that a small number of people have concerns about the role of the Society of Merchant Venturers, but the survey was clear that this is a requirement of the Downs Act, and the fact that 838 people supported keeping the Act as it is significantly outweighs those seeking change.

Regarding specific changes that people would like to see, there is clear support for seeking ways to involve stakeholders more often and providing opportunities for people to raise issues for debate at Committee meetings. There is already an action in the draft work plan (item 5.2) for the committee to work on these processes.

Recommendation 10 – Item 5.2 in the work plan should be retained, and include specific reference to regular stakeholder meetings / involvement

Support for the creation of new structures to sit alongside / under the committee was less strong. There is an action in the work plan (item 5.3) for the committee to investigate this.

Recommendation 11 – Item 5.3 in the work plan should be retained, with the addition of a commitment to further consultation with stakeholders should any change be proposed.