

**Bristol City Council**

**Downs Committee  
26<sup>th</sup> September 2016**

**Report of:** Service Director, Environment and Leisure

**Title:** Downs Management Report

**Ward:** N/A

**Officer Presenting Report:** Andrew Gordon,  
Heritage Planning and Partnership Officer

**Contact Telephone Number:** Internal 74497

**RECOMMENDATION:**

**Members:**

**To note the points and recommendations made in the report.**

**Summary**

**This report reflects the objectives of the Downs Management Plan and to inform members of progress since the last meeting.**

The significant issues in the report are:

- Enjoyment
- Access
- Working Groups
- Landscape
- Wildlife
- Management and Resources.

**1. Policy**

Not Applicable

**2. Consultation**

**a) Internal**

John Williams, Area Manager North.

Andrew Gordon, Heritage Planning and Partnership Officer

Mike Allen, Business Manager

Becky Belfin, Nature Conservation Officer  
Richard Ennion, Environmental Improvement Manager

**b) External**

Mandy Leivers, Avon Gorge and Downs Biodiversity Education Officer  
Jack Penrose, FOD + AG  
Chris Westcott, Natural England

**3. Context**

**Enjoyment:**

The three welcome boards have now been installed at the approach to Observatory, near the White Tree roundabout and Stoke Road (beside the Water Tower).

**Access:**

Bristol City Council (BCC) Security Services recorded the following incidents of anti-social behaviour between 6 June to 5 September 2016: 22 BBQs, 5 cars park on the grass, erection of two structures, travellers setting up camp by the Zoo overflow car park by Ladies Mile and near the White Tree roundabout involving up to 14 vehicles parking on the grass in each case. The travellers were successfully evicted following applications to the Courts. There is ongoing problem of travellers/overnight parking at Parry's Lane. This can be dealt with by BCC Highways, using their powers to remove unauthorised caravans parked on the highway (this does not apply to campervans, vans etc.) and also Parking Services issuing a penalty notices if people are parking for more than 5 hours during the day. Action can also be taken if they are causing a nuisance e.g. leaving litter etc. Downs Team will continue to monitor the problem.

Councillor Goulandris has written to Highways officers informing them he has had a number of complaints from local residents about young people racing each other on Circular Road. This anti-social behaviour has come to the attention of the police and they have suggested road humps are installed, to deter the night racing. Highways have responded by saying they will put this on the Neighbourhood Partnership tracker to consider as a future scheme and that this will require members approval.

**Working Groups**

**Movement and Place Framework subgroup**

Officers have held a meeting in June with City Design and Transport Teams to discuss how they can help with taking forward the Framework preferred options identified by members at their workshop held in March. Key points and recommendations were:

1. In order that officers can make progress on scoping out (and not undertake abortive works) members need to ensure firm decisions are made and clear guidance as to priorities and interventions is provided.  
The Sustainable Transport officer indicated that Westbury Lane cycling improvements could be included in the possible scoping of the A4018 corridor improvements, which is paid for by the development of the Filton runway (Cribbs Patchway New Neighbourhood) .
2. There is no guarantee that the project can actually deliver this proposal but if members are supportive of it then it can be included in the initial long list of interventions, thereby making a good start to delivering the preferred options.
3. Highways Officers have indicated that they would be willing to consider increasing the scope of planned traffic counts on the Ladies Mile, Circular Mile and Stoke Lane routes should the Committee be able to fund them to help understand the impact of Framework proposals for these areas such as congestion on the network. The committee is recommended to consider funding this to consider this.

The organisation of the subgroup meeting to discuss the possible preferred options in more detail as identified by members, has been delayed due to the holiday period, but will now be arranged as soon as possible. Officers from the City Design, Sustainable Transport and Highways Teams would be invited to explain how they may be able to help with delivering the Framework options approved by members.

## **Landscape:**

## **Wildlife**

### **Summary of activities of the Avon Gorge and Downs Wildlife Project education programme for April to June 2016**

During this period, the projects Educational Biodiversity officers engaged with 1,176 people directly through the education programme. They ran three children's events, an event for parents and toddlers and a public guided walk. They also ran eight education sessions for 234 pupils. One of the teachers gave this feedback: *"The children loved the freedom, they actually loved it all. Everything was provided for, punctual staff, leaders were brilliant, lovely day, perfect pitch for children, clear instructions and activities very educational and so much fun! Thank you so much – we'll be back next year!"*

During the summer holidays officers ran 15 sessions for summer holiday play scheme groups, attended by 331 children. One of the play scheme leaders from the Greenway out of school club, based in Southmead, wrote: *"Just to say thank you to you for going out of your way to accommodate us and for the great session the children took part in. For some of them coming to play scheme is all the holiday they get and experiences like this make it a*

*memorable holiday.”*

Officers teamed up with Friends of the Downs and Avon Gorge to lead a ‘Your Downs’ guided walk for 21 people from the Heartful dodgers (people recovering from strokes and heart attacks from Southmead hospital). They also led a guided walk for 22 members of Clifton Rotary Club.

On the day before the Goram Fair at Blaise Castle, officers supported artists, at a community day, making giant sculptures of the rare plants of the Avon Gorge. These were used to create a garden for a giant Goram puppet.

In August, officers contributed to Bristol Zoo Gardens ‘Bird Week’ by setting up a display about the wildlife of the Avon Gorge and Downs and ran a peregrine mask-making workshop. Over two days they engaged with 455 guests. Our ‘Peregrines of the Avon Gorge’ and ‘Discover the Downs’ leaflets proved particularly popular.

### **Tree safety works**

BCC Tree officers have confirmed they are organising tree safety works on approximately 1,694 Downs trees at an estimated cost of £12,000. Given the number of trees involved officers consider this is good value for money. Felling notices have been displayed on the Downs to inform the public of the intention to undertake tree works.

### **Management and Resources:**

The hay cut of the Downs meadows was completed in August and the resulting bales delivered to city farms

### **Downs Team report**

This report from the Downs team covers the high summer period. There have been high numbers of visitors during this period and as such the team have been challenged to keep the Downs free from litter. Grass cutting has continued across the Downs, as well as other daily duties, including daily goat monitoring and maintenance of our flower beds at the Thomas Memorial.

The team have carried out hay cuts in several parts of the Downs that the contractor cannot do, including the Zoo banks (an area of unimproved Limestone grassland).

The 2016/17 Downs Football League season has begun with evening matches. Due to the music event and the Tour of Britain stage on the Downs, play on Saturdays will not commence until Saturday 17<sup>th</sup> September. The 29 football pitches have been remarked. Some improvements to the fire safety in the dressing rooms have been made and some new football equipment has been purchased.

A number of trees have dropped their limbs which have been removed by the team. It is unclear what the reasons for this are, but the BCC tree officer has been asked to monitor the situation. A number of trees have been identified for felling and notices placed on them. The Downs team will carry out stump grinding once felling has taken place.

The team have had to clear up rubbish left by two traveller encampments after their departure.

The team have worked closely with both the music event and the Tour of Britain stage organisers to limit adverse impacts from these very large events taking place one after the other. The team will ensure the Downs are restored as quickly for the enjoyment of our regular visitors.

## **Management Plan**

Meetings have been held with both Committee members and officers and the Avon Gorge and Downs Wildlife Project partners to review the actions in both the Downs and Avon Gorge management Plans. Officers have started to draft a combined Downs and Gorge plan. This is currently on hold as the council is implementing cost savings which includes implementing changes to the Parks and Green Spaces structure, and will commence again when the changes have been made. Once the resources for the Downs have been confirmed, the plan can be drafted and presented to members. The committee subgroup recommended that once a plan is approved, a 12 week city wide consultation should be carried out, to ensure stakeholders/users across the city have the opportunity to comment. The estimated timescale for the final plan to be put to members for approval is April 2017. Members are invited to take part in conversations about resources for the downs and an item detailing any change can be presented at the November 2016 meeting if this is required.

**Recommendation: Members to note changes to timetable for producing a combined Downs and Gorge Plan and approve the proposal to undertake a city wide consultation.**

## **Finance**

Officers have been approached by the Downs ice cream concession requesting they should be given a reduction in the fees charged as result of not being able to operate from Ladies Mile location, due to the 5 hour parking restriction. They consider that as interim measure the concession is offered a discount for 2016 (paid up to April 2016 so far) of approximately 10%. Highways officers have advised in their report in item 9 that it would not be possible to create a dedicated parking space along Ladies Mile, therefore to

enable the concession to operate at this location, they have suggested an alternative option would be to provide a hard standing for the ice cream van on the Downs accessed via the existing footpath (see attachment 1). This location already has double yellow lines to provide visibility for pedestrians which would prevent vehicles from obstructing access. A power supply will also need to be provided.

**Recommendation: That members agree the ice cream concession is offered a discount for 2016 of approximately 10% and whether or not they wish to see a parking space created on the Downs along Ladies Mile to enable the concession to operate and if so should it be located in place as suggested by Highways.**

Following members consideration of the BCC licensing request that members provide observations on the 140 objections received, as result of the street trading consent application, for the Sea Walls refreshment unit concession and clarification on who they have given consent to trade and the hours and days that were agreed, officers wrote to licensing (see attachment 2) reflecting members collective response. This was reported to the Public Safety and Protection Committee (PS & P) on 16 August 2016 for consideration in determining the application. The Committee have now met but were informed by the applicant that his company no longer wishes to have a concession at Sea Walls. In view of this outcome there is now a need for members to review the legal issues arising from the Sea Walls concession, this will be discussed in a briefing after this meeting. There is also a need to decide on the terms of and conditions for retendering this concession.

Members are also asked to consider the draft terms and conditions for the tender documents for both Parry's Lane (see attachment 3) and ice cream/cold drinks ( see attachment 4) concessions located at Circular Road (Ladies Mile end), Circular Road (Sea Walls), Ladies Mile, Sion Hill/Gloucester Road ( due to expire in March 2017. The proposed hours of operation for Parry's Lane concession are 0700 to 2200 hours and 0930 to 2000 for the ice cream concession. New members should note that Parry's Lane has had hot drinks, hot and cold food concession previously, for a number years, which was subject to the same attached conditions. It is in location where commercial vehicles including vans, lorries and coaches regularly park. The introduction of parking restrictions on the Downs has reduced commuter parking, thereby freeing up spaces for potential concession customers.

Officers have met with BCC Licensing to discuss retendering of the Parry's Lane concession. They have advised that to streamline the process of any successful tenderer obtaining a Street Trading consent, BCC, as the land owner, should apply for outline consent. This will include public consultation.

This approach would ensure that any public concerns are taken into account and an application for trading consent by the successful tenderer could be determined relatively quickly. It is intended the same approach will be taken before retendering of the ice cream concession.

**Recommendation: members to note outcome of the PS & P committee meeting for the Sea Walls concession, approve the terms and conditions for the tender documents for both Parry's Lane and ice cream concession and agree to a subgroup being set up to consider and make recommendations to the full committee on the terms and conditions to be attached to any retendering documents for the Sea Walls concession.**

### **Risk Assessment:**

Directors of Clean and Green and Highways and officers have met to discuss the issues with ensuring the safety of the Avon Gorge rock faces, on the Bristol side. It was agreed that:

1. This was corporate matter and resources will need to found to ensure future inspections and remedial works are carried out.
2. That desk exercise should be carried out to risk assess the rock faces sections that have not so far been assessed including faces owned by the Merchant Venturer's Charitable Trust. Resources for implementing any recommendations further investigation and resulting remediation on for land for which the Council is responsible for would then need to be identified.
3. That the outcomes an recommendations of the risk assessments would be shared with MVCT.

The Black Rock Quarry 'bench' catch fence replacement work has been tendered and the lowest quote was £37,157.

Inspection by Health and Safety officers has identified the following external issues with respect the Downs changing rooms and café:

- 1) fire exit doors blocked by parked cars
- 2) there is a potential for bulk waste bins to be wheeled against the buildings and set alight.
- 3) the existing wooden bollards which follow the track around the back of the changing rooms are rotten
- 4) the café deliveries vehicles are currently driving over the grass verge to directly access the road rather than coming in at the front of the café with a drop kerb or use the drop kerb to the Downs itself.

These issues will be dealt with by (see drawings on attachment 5):

1. preventing vehicles parking to the rear of the changing rooms by installing a field gate painted black
2. anchoring the bins away from the building with three anchor bollards and chains.
3. replacing the 47 wooden bollards around the changing room access track.
4. removing the mud patch create by vehicle deliveries in front of the café by laying a geotextile membrane and stone to dust to allow access from the drop kerb on the Downs and put in bollards along the verge/pavement edge to prevent direct access.

These measures will be completed by September 2016

**Recommendation: members to note the outcome of the meeting with service directors and the health and safety works to be carried out around the café and changing rooms.**

## **5. Public Sector Equality Duties**

5a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
- ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
  - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
  - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
  - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This

- involves having due regard, in particular, to the need to –
- tackle prejudice; and
  - promote understanding.

## **6. Legal and Resource Implications**

### **Legal**

The Clifton and Durdham Downs (Bristol) Act 1861 provides that the Downs should remain as a place for the resort and recreation of the citizens of Bristol, and that a committee should be appointed to manage them. The recommendations of this report are within the powers conferred by this statute.

### **Financial**

#### **(a) Revenue:**

#### **(b) Capital**

None

Financial advice provided by Mike Allen. Business Partner.

## **7. Land**

The land is under the control of the Downs Committee.

## **8. Personnel**

Not applicable

Appendices: 1& 2

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Background Papers: None