

## Downs Governance – Proposals

### *Downs Vision*

*An open downland that is protected forever for the wellbeing and enjoyment of the people of Bristol.*

#### 1) Summary

This document outlines potential changes to the governance of the Downs Committee. The changes have been proposed following the public and stakeholder group engagement exercises that took place earlier this year. Suggestions and comments arising from these exercises together with proposals made by the Committee itself form the basis of these proposals which have also been the subject of early discussions with Bristol City Council (BCC).

The Downs Committee are asked to agree the seven proposals contained in this paper which if agreed will then become the basis for more detailed work by each of the stakeholders, progress will then be reported back to the Downs Committee at its subsequent meetings.

#### 2) Background

##### 2.i) Current arrangements

- The Committee is made up of the Lord Mayor (Chair) and six councillors together with the Master of the Society of Merchant Venturers (SMV) (Vice Chair) and six of its members.
- The Councillors are allocated by their parties, so there tends to be a spread of political views.
- There is no specified member tenure but at least two members from the Councillors and two members of the Society of Merchant Venturers (SMV) must stand down each year.
- The Lord Mayor serves a term of one year running from May and is the Chair of the Committee.
- The Master of SMV serves a term of one year running from November and is the Deputy Chair.

##### 2.ii) Summary of the Work to Date.

In 2021 the Downs Committee agreed to set up a Governance Task and Finish Group (GTFG) to review the principles, structures, and processes under which the Committee works. The Group is not a decision-making body, and its recommendations go to the Downs Committee for discussion and agreement.

Membership of the GTFG is listed in Appendix 1.

The Group held an open meeting with a range of stakeholders in October 2021 and from this developed a set of draft Principles and a draft Work Plan. These were published for public engagement in April 2022 and over 1800 responses were received. The responses were analysed, summarised, and presented in a Report to the Downs Committee at an Extraordinary Meeting held on 20<sup>th</sup> May 2022. At this meeting a further set of Principles and a Work Plan were presented, having been amended in the light of the engagement exercise. These were discussed by the Committee and a final set of both documents adopted by the Downs Committee at that meeting. (The agreed Principles and Workplan are contained in Appendix 2 and Appendix 3 respectively of this document.)

In addition to the main questionnaire, there was a supplementary survey regarding governance of the Downs which sought 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. The survey results demonstrated clear support for the Committee's stance in this respect. (838 respondents out of 964). The recommendations in this paper are therefore made in this context. There are, however, several governance issues that require further consideration and these are outlined in Section 5 of the Work Plan (Appendix 2). In summary and in reverse order, these are: an examination of alternative governance structures (5.3), engagement with the public (5.2) and strengthening the executive support to the Committee (5.1) This paper goes on to put forward suggestions as to how these issues could be addressed within the context of the Downs Act.

### **3) Governance Proposals**

This section of the paper considers alternative governance structures but also comments on how existing processes can be adapted, to reinforce the spirit and intention behind the Downs Principles.

#### **3i) Alternative Governance Structures**

- a) One option considered by the GTFG was for the two landowners, namely BCC and the Society of Merchant Venturers (SMV), to create a charitable vehicle that sat below the Downs Committee which had accountability for the management of the Downs. On closer examination, it was found that the Downs Act would almost certainly not permit such delegation. In addition, there would need to be a guarantee from BCC that the costs of running the Downs would continue to be underwritten, as, if this was not in place the Trustees might find themselves liable for trading whilst insolvent. Trustees would need to know that the funding streams were there to deliver the management of the Downs; that any funds raised would be spent in consultation with the Downs Committee; and that funds passed to BCC to offset the costs of running the Downs would be guaranteed only to be used for this purpose. As a rule, funds cannot be passed to a non-charity unless there is a commitment that the funds will only be used for the objectives of the charity.
- b) Another option that had been put forward was for one or both of the parties to gift their part of the Downs either to each other or to a charity. This, however, would once again result in a potential termination of the Downs Act and run the risk of crucial beneficial aspects of the Act being up for renegotiation. The Act gives vital protection to the Downs by ensuring it remains, in perpetuity, as open downland for the enjoyment and recreation of the people of Bristol. Having just run a comprehensive engagement exercise where most respondents did not wish to abandon the Downs Act it would seem perverse to ignore a response of this magnitude.
- c) There is, however, a potential option that could ameliorate some of the criticisms of the Downs Act and in turn the Committee. That the proposed way forward could result in easier access to sources of funding from third parties is an additional advantage. The Downs Committee is not a legal personality and does not possess a bank account – this means that receiving funds from external sources is problematic, Option C provides a potential solution.

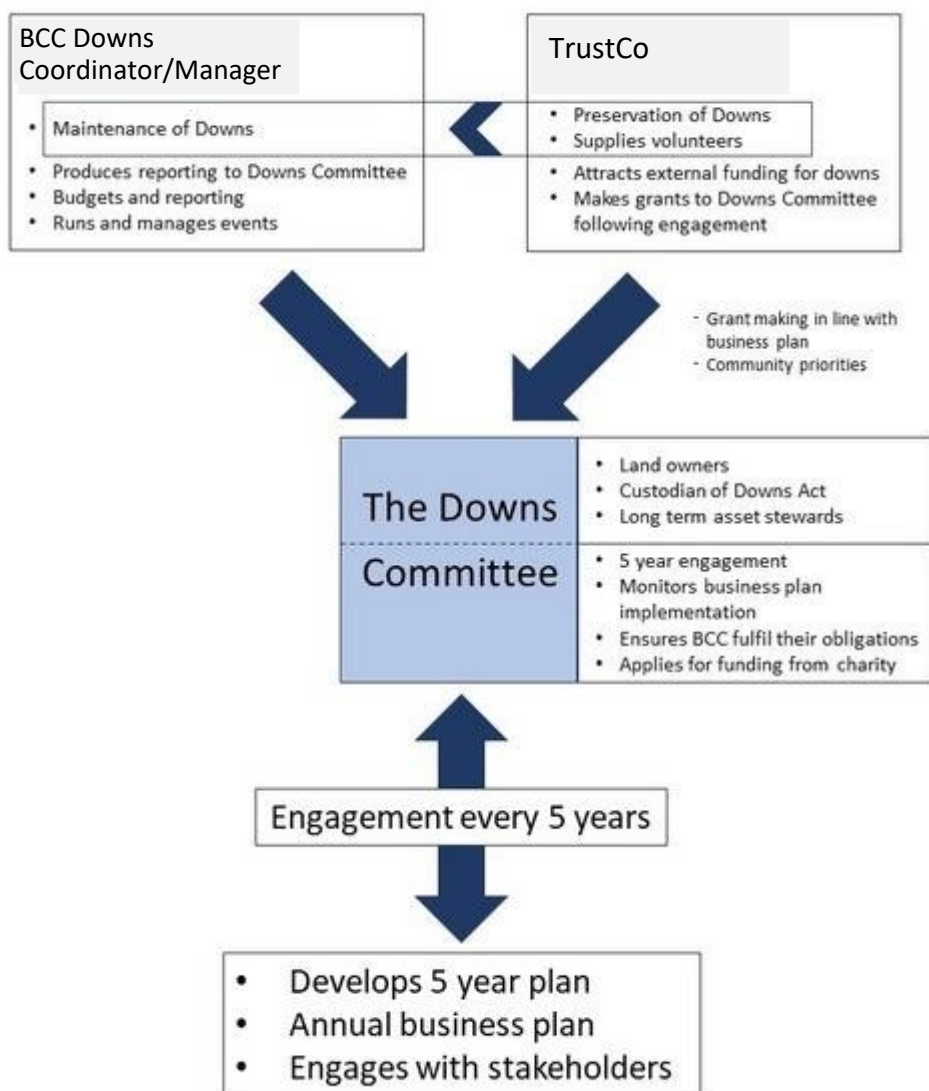
It is helpful to look at Figure 1 when considering these proposals. Figure 1 is a schematic diagram illustrating the potential future governance of the Downs Committee.

## The Downs Governance Option C) Figure 1

### Proposal

Key points to note:

- The Downs Committee remains intact as the custodian of the Downs and there is no delegation of statutory powers.
- The Downs Committee develops a five-year strategy including engagement with stakeholders and the public
- Bristol City Council (BCC) is accountable for the executive management of the Downs and SMV and Councillors have a more non-executive position providing oversight through members of the Downs Committee.



- A separate body (TrustCo) is created or derived either from an existing organisation or from a newly created one. TrustCo can then apply for and attract funding to support the preservation of the Downs and deliver the activities and amenities identified in the five-year plan. TrustCo could be a charity or be a body with the potential to develop into a charity.
- TrustCo could also become an additional conduit for engagement with the wider community and stakeholder groups.

- In addition to its own priorities, TrustCo could coordinate funding specific projects identified in the workplan external funding could be required. The role of TrustCo would then become a grant maker to the Downs Committee.
- The organisation could provide a source of volunteers to work with the BCC Downs Coordinator/Manager and run educational programmes – these are important, as the engagement exercise identified conservation and education as important aspects of the Downs.
- To facilitate this a Memorandum of Understanding (MOU) would need to be created between BCC and SMV (as the two landowners), together with one between the Downs Committee and TrustCo.
- It will be important if this proposal is adopted for finance and operational protocols to be in place between the Downs Committee and BCC and for appropriate standing orders to be put in place.

***Recommendation 1***

***The Committee are invited to consider adoption of option C as a development of the governance arrangements of the Downs Committee.***

Option C – potential additional development.

Currently there is no easily identifiable charity that could partner with the Downs Committee although there are charities that are important stakeholders. Setting up such an organisation from scratch would take significant resources and time and this, in turn would mean progress on adoption of the Downs Principles and implementation of the Work Plan would be hampered. The Committee should consider whether an organisation is already in existence that fits with many of the accountabilities of TrustCo and that could have the potential for a more formal partnership with the Downs Committee.

Friends of the Downs and Avon Gorge (FODAG) has a long history of working constructively with the Downs Committee and BCC, they have connections with similar groups and have provided services to the Downs in respect of conservation and education. Appendix 5 contains further information on FODAG taken from the organisation's website.

***Recommendation 2***

***Should the Committee decide to agree with Recommendation 1 it is recommended that the GTFG begin discussions with FODAG as a partner organisation to the Downs Committee – detailed proposals will be brought back to the Downs Committee.***

### 3 ii) Other Governance Issues

#### a) *Events and Finance Committee and Task and Finish groups*

The Work Plan covers the key tasks of the Events and Finance Subgroup - the notes from this subgroup being reported as part of the business of the Downs Committee. Other income generating projects have been delegated to a series of Task and Finish groups which report back to the Downs Committee for approval. It will be important that a '**project reporting approach**' (in the form of written reports) is adopted for these Task and Finish groups so that their membership and project milestones are transparent and can be easily monitored by the Downs Committee and the public.

(Relevant areas of the work plan can be found in Section 2 – Events, Section 3 - Income Diversification and Section 4 - Building Assets and Infrastructure.

#### **Recommendation 3**

***The Events and Finance Subgroup and the Task and Finish Groups should operate as described above.***

### 3iii) Continuity and Succession Planning

There are concerns that the governance of the Downs Committee has been hampered by a lack of continuity both in leadership and membership. Conversely, there have been concerns regarding individuals remaining on the Committee for too long a period.

There are only six months in each year where the Chair (Lord Mayor) and the Deputy Chair (Master SMV) are the same individuals. The Lord Mayor changes in May and the Master of SMV changes in November. The timing of both these events is driven by circumstances outside of the Downs Committee and it is unlikely these arrangements will be changed. It is the Downs Act that drives the selection of the individuals to occupy these roles.

The creation of the Downs Principles and the Work Plan will provide an agreed set of guidelines for the operation of the Downs Committee, which to a large extent will enhance continuity.

Continuity can also be provided if all parties select Downs Committee members with this in mind. This may be harder to achieve in respect of the Councillors, as their selection is driven by political balance, however, the decision to have the current Lord Mayor together with her predecessor on the Downs Committee was a helpful one, particularly given the focus on implementing actions following the recent engagement exercise.

On its part SMV has ensured that currently four of the key leadership roles in SMV have been Downs Committee members. SMV will look to maintain this continuity with at least three of the four key SMV leadership roles on the Committee. Specifically:

- Master of the day plus at least two of the following role holders:
- Senior Warden (potential next Master)
- Junior Warden (potential next Senior Warden)
- First Assistant (prior year's Master)

This will provide unprecedented levels of continuity. Currently all four of these post holders are on the Downs Committee ensuring there is commitment, understanding and follow through on the work currently being led by the current Lord Mayor and her predecessor.

The selection of Committee members from SMV will also attempt to balance out nominations from those who live or work in Bristol, and careful consideration will be given to relevant skills sets and these will be made clear to the Committee at the time of nomination.

***Recommendation 4***

- ***That both the Councillors and SMV look to ensure there is continuity in membership wherever possible.***
- ***That the proposed approach to membership by SMV is noted***
- ***That Councillors take a cross party approach to ensure leadership of the committee is as seamless as possible***

3iv) Committee Tenure

There has been a reasonable amount of churn on the Downs Committee which means that any sort of organisation memory can be compromised. It also places a responsibility on newer members to 'get up to speed' as soon as possible.

Currently there are no limits on an individual term of office and occasionally individuals have served for a significant length of time. Good governance means that there should be a limit on tenure for serving on the committee. It is proposed that individuals would typically not serve more than six years but on an exceptional basis (and subject to agreement from the whole committee) an individual could serve up to nine years. In such circumstances, the committee would need to articulate why this individual should be an exception. In practice individuals are re-elected every year (which goes beyond the requirements of most codes of governance), and two members have to stand down each year so in reality extended tenure would not normally be a problem.

***Recommendation 5***

***Recommended terms of office should be adopted, and any deviation should be on a 'comply or explain' basis.***

**4) Engagement of Stakeholders and the Public**

The engagement with stakeholders and members of the public will be much improved by the Downs Committee Principles and the Work Plan. These will guide the work of the Committee and will facilitate a more transparent agenda and decision-making process. Should the governance proposals outlined earlier in this document be adopted, then they too will improve levels of engagement particularly through the partnership with TrustCo.

One area that is working less well is the Public Forum. The Public Forum part of the Downs Committee Agenda allows members of the public and special interest groups to put forward representations to the Downs Committee. These representations are listened to but not commented on by the Committee - a factor that is regarded as uncomfortable and unsatisfactory by both those making representations and those receiving them. 5.2 of the Work Plan states that the Downs Committee will delegate finding a solution to this issue to a small task and finish group with procedure rules agreed by the end of 2022.

In the interim it is proposed that a more informal approach to the Public Forum is adopted, with the Chair having the discretion to engage with those coming forward to make representations and ask questions. This will take place as a pilot and be used to inform the work of the small task and finish group.

***Recommendation 6***

***To adopt a more informal approach to the Public Forum on a trial basis.***

## **5) Downs Coordination Role Proposal**

The Work Plan highlights the need to consider strengthening the executive support to the Downs Committee and in particular the Lord Mayor as Chair. Following the engagement exercise and discussions within the GTFG this paper is proposing a new position for coordination of the various Downs activities on behalf of the Downs Committee.

The Downs Committee is supported by a variety of departments within Bristol City Council however there is no overall executive coordination role to coordinate their work. This can result in members of the Downs Committee becoming too involved in the day-to-day running of the Downs.

There is also no natural lead to drive forward projects and fund-raising activities (that go beyond the normal running of events) and once again this can mean that significant burden falls on individual members of the Committee. A lead coordination role for the Downs could become an important link between the Lord Mayor, the Committee, BCC and TrustCo. The role needs to be self-financing as there is no additional budget to fund it. A review of progress would take place within 6 months of the post being filled, when the benefits and costs of the post can be assessed. It is proposed that the post is filled via a secondment from BCC to facilitate both an early commencement and termination of the role if that proves necessary.

It is often difficult for BCC departments and other agencies to interact with the Downs Committee and to establish clear implementation plans for Council led activities - this role could facilitate this involvement with the Downs Committee.

Finally, the occupation of the role of Lord Mayor is busy and short lived, and the proposed executive Coordinator role could provide support to the Lord Mayor as Chair of the Downs Committee and ensure some much-needed continuity for the Committee itself.

It is anticipated that the role will be employed by BCC. There will however be several issues that will require resolution to create and fill the role, for example its accountabilities, reporting relationships and funding. At this stage the Committee is being asked to approve the creation of such a role in principle. A draft role profile is contained within Appendix 6 of this paper, but this should be regarded as illustrative and further work to

define the role will be required, along with work to finalise finance and operational protocols and related Standing Orders. The Committee is also being asked to approve that the GTFG be charged with finding answers to key outstanding issues outlined above.

***Recommendation 7***

***The Committee is asked to approve the concept of the Downs Coordinator role and to ask the GTFG to work with BCC to bring the role to fruition.***

**6) Conclusions**

The GTFG ran an engagement exercise earlier this year the results of which were used to create the Downs Principles and a one-year Work Plan. This paper contains a series of seven recommendations to the Downs Committee to progress this work to the next stage, it also outlines the next steps required to bring these next stages to fruition.



## **Appendix 1**

### **Downs Governance Task and Finish Group Membership (GTFG)**

Steve Smith (former Chair)

Paula O'Rourke (Chair as Lord Mayor)

Paul Goggins (now stood down)

Jonathon Baker

Gillian Camm (now stood down, replaced by Michael Bothamley)

Peter Rilett

## Appendix 2

### Downs Committee Principles

Adopted by the Downs Committee 20th May 2022

#### Purpose

This document is intended to set out the high-level principles by which the Downs Committee manages the Downs for the people of Bristol. This is not a detailed work plan and is not intended to replace the role of the Committee in making individual decisions. The purpose of this document is:

- To provide a framework of agreed principles within which officers can work and the Downs Committee can make decisions; and
- To provide some clarity and certainty to stakeholders and the public about how the Downs is managed.

#### Vision

An open downland that is protected forever for the wellbeing and enjoyment of the people of Bristol.

#### Background

The Downs consists of 412 acres of common land in north Bristol. It is governed under an act of Parliament dating from 1861 when the two landowners (the City Council and the Society of Merchant Venturers) combined their land to create an open space for the people of Bristol. The Act establishes the Downs Committee to manage and maintain the Downs. This is made up of equal numbers of representatives from both landowners. The Act places some constraints on how the committee works, which could only be changed by a new act of parliament, such as the fact that it must be chaired by the Lord Mayor of Bristol. The committee is an independent body, not part of the Council or of the Merchant Venturers.

#### Principles

**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. This includes exercise, social activities and use for health and wellbeing. 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, clean air 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.

**Principle 3 – Funding** – 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 to support Bristol City Council in saving public money by raising revenue to fund the maintenance of the Downs. 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 will seek to raise funds from as many diverse sources as possible which are compatible with these principles and will engage with stakeholders in developing new income sources.

**Principle 4 – Events** – 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, including small and culturally diverse events. 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.

**Principle 5 – Buildings and infrastructure** – 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.

**Principle 6 – Openness and involvement** – the management of the Downs should be as open and transparent as possible. 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.

Meeting procedures will provide clarity over the management of any real or perceived conflicts of interest.

## Appendix 3

### Downs Committee Work Plan 2022-23

Adopted by the Downs Committee 20<sup>th</sup> May 2022

| No.      | Activity  | Responsible person / body  | Timing  | Budget Implication  |
|----------|---|--|---|---|
| <b>1</b> | <b>Ongoing activities / business as usual</b>   |  |   |   |
| 1.1      | Downs maintenance activities  | BCC Parks (Downs Supervisor) reporting to DC   | Ongoing annual programme of work                      | Ongoing revenue funding through Downs budget – delegation / budget authority to be reviewed |
| 1.2      | Education programme   | Avon Gorge and Downs Wildlife Project (Avon Gorge & Downs Biodiversity Education Manager and Avon Gorge & Downs Learning and Engagement Officer) reporting to DC | Ongoing annual programme of work                      | Ongoing revenue funding through Downs budget  |
| 1.3      | 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. | BCC Officers with appropriate expert input (including from the Avon Gorge & Downs Wildlife Project) reporting to DC  | Initial publication end March 2023, reviewed annually | Ongoing revenue funding through Downs budget  |
| 1.4      | 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.   | T&F group with BCC legal advice reporting to full DC.  | End March 2023  | Possible implications for future revenue budgets if adopted                                 |

| No.      | Activity   | Responsible person / body   | Timing   | Budget Implication                  |
|----------|--|---|--|-------------------------------------|
| <b>2</b> | <b>Events</b>  |   |  |                                     |
| 2.1      | Approve an annual programme of events taking into account agreed principles and feedback from previous events. Information about planned events should be published as openly and quickly as possible. | E&F sub-committee working with BCC events / licencing team  | Regular review of annual programme                           | Revenue generation for Downs budget |
| 2.2      | Consider opportunities for longer term arrangement with event organisers, where compatible with agreed principles  | E&F sub-committee working with BCC events / licencing team  | Recommendation by end 2022 – ongoing review of opportunities | Revenue generation for Downs budget |
| 2.3      | Review processes to make it easier for people to host smaller community events on the Downs.   | BCC Officers – events teams   | Report to DC by end 2022                                     | n/a                                 |
| <b>3</b> | <b>Income diversification &amp; finance</b>  |   |  |                                     |
| 3.1      | Consider opportunities for corporate / individual sponsorship programmes   | T&F group to include relevant BCC officers, report back to DC                                       | Recommendation by end 2022 – ongoing review of opportunities | Revenue generation for Downs budget |
| 3.2      | Review BCC programme for charging commercial operator in parks and consider how it should apply to the Downs   | T&F group to include relevant BCC officers, report back to DC. Sue Long is BCC officer responsible. | To align with BCC parks programme                            | Revenue generation for Downs budget |
| 3.3      | Review suggestions for alternative commercial operations on the Downs to generate new income – all to be compatible to agreed principles   | T&F group to include relevant BCC officers, report back to DC                                       | Recommendation by end 2022 – ongoing review of opportunities | Revenue generation for Downs budget |

| <b>No.</b> | <b>Activity</b>  | <b>Responsible person / body</b>   | <b>Timing</b>                                 | <b>Budget Implication</b>  |
|------------|--|--|---|--|
| 3.4        | Re-base Downs budget to ensure that it accurately reflects the costs of maintaining the Downs and realistically forecasts income                                   | BCC Finance reporting to E&F sub-committee                                       | To present realistic budget for FY 2023/24    |  |
| 3.5        | Clarify protocols for management of Downs funds by BCC, including scheme of delegation / authority and process for sign-off of business plans for capital works    | E&F sub-committee working with BCC finance / senior execs – final sign-off by DC | Agreed protocol ready to apply for FY 2023/24 |  |
| <b>4</b>   | <b>Buildings / Assets / Infrastructure</b>   |  |   |  |
| 4.1        | Clarify consents required to carry out development works on existing sites   | T&F group to include relevant BCC officers, report back to DC                    | ASAP  | Impacts upon various capital projects – potential major cost if new legislation required         |
| 4.2        | Toilet / café site at Sea Walls – progress funding and develop a funded plan for the development (subject to resolution of 4.1 above)                              | T&F group to include relevant BCC officers, report back to DC                    | ASAP subject to resolution of 4.1 above       | Requires capital funding – should deliver revenue savings / income - tbc                         |
| 4.3        | Develop options appraisal and business case for future of the North Car Park following zoo closure in 2023   | T&F group to include relevant BCC officers, report back to DC                    | ASAP  | May require capital funding – aim is to replace some or all of the revenue lost from zoo parking |
| 4.4        | Re-development of changing rooms – develop a funded plan for the development (subject to resolution of 4.1 above)  | T&F group to include relevant BCC officers, report back to DC                    | To follow 4.3 above                           | Requires capital funding – should deliver revenue savings / income - tbc                         |
| 4.5        | Develop options appraisal and business case(s) for infrastructure items to support events or to minimise the impact of events on the Downs (may link to 2.2 above) | T&F group to include relevant BCC officers, report back to DC                    | ASAP  | May require capital funding – should be linked to sustained / improved events revenue            |
| 4.6        | Continue to support the Council’s executive leadership in a review of parking regulations around the Downs.  | Downs Committee  | Dependent upon BCC actions                    | n/a  |

| No.      | Activity  | Responsible person / body  | Timing                                    | Budget Implication   |
|----------|---|--|---|--|
| <b>5</b> | <b>Governance and Accountability</b>  |  |   |  |
| 5.1      | Consider options to strengthen executive leadership of the Downs  | Chair / Vice-Chair working with BCC to make recommendations to full committee  | ASAP                                      | Potential revenue implications to be taken into account depending upon recommended options |
| 5.2      | Review committee procedure rules and practices to ensure meaningful opportunities for stakeholders and members of the public to interact, understand and challenge decision making (compatible with the Downs Act and agreed principles). This should include regular engagement opportunities for stakeholders. This should include a particular focus on communication with a broad range of Bristol citizens, both in terms of geography and demographics. | Downs committee (may delegate to a working group) working with BCC Dem Services support – final rules to be signed off by DC | Agree updated procedure rules by end 2022 | n/a  |
| 5.3      | Develop options appraisal and recommendations for alternative governance structure(s) which are compatible with the Downs Act and agreed principles. Consult with stakeholders before making any proposed change.   | Downs committee (may delegate to a working group) – final rules to be signed off by DC                                       | Recommendations to DC by end 2022         | Potential revenue implications to be taken into account depending upon recommended options |

## Appendix 4

### Downs Committee potential MOUs

#### The Downs Memorandum of Understanding

##### 1. BCC and SMV - proposed items for MOU re the management of the Downs BCC and SMV

Both bodies will continue to provide members of the Downs Committee together to form the strategy for the Downs:

- Produce 5 year business plan
- Produce annual business plan
- Engage with stakeholders in the Downs
- Monitor and hold BCC to account for the implementation of the strategy

#### BCC

Implement the strategy of the Downs Committee and be responsible for:

- Maintenance of the Downs
- Organising/licensing events on the Downs
- Setting tariffs for use of the Downs by third parties
- Produce a budget for operating the Downs for approval by the Downs Committee
- Implement the budget and keep the Downs Committee updated on variations
- Report to the Downs Committee on a regular basis on how the implementation of strategy is progressing
- Provide the staff function for the running of the Downs (e.g., legal and secretariat)
- Settle any annual shortfall in the costs of running the Downs

#### SMV

- Co-operate with BCC in relation to any events or activities on Clifton Down to ensure that all income generated goes to BCC
- Take such steps as necessary in relation to Clifton Down to enable BCC to implement the business plans set by the Downs Committee

##### 2. Downs Committee and TrustCo - proposed items for MOUs

#### Downs Committee

- Will continue to exercise its statutory duties under the Clifton & Durdham Downs (Bristol) Act 1861 for the management of the Downs and to exercise the powers granted to them under the Act
- Will develop a 5-year Strategy for Clifton Downs following consultation with TrustCo and, through TrustCO, all other major stakeholders
- Will agree a three-year programme of works with TrustCo, informed by TrustCo's consultation responses and what is in the best interests of the Downs, and will set out the levels of funding that may be required to deliver each programme
- Will recognise TrustCo as the key/principal community liaison group, and that TrustCo should meet with the Downs Committee bi-annually to raise issues and concerns on behalf of members of TrustCo and the wider stakeholder community
- Will seek the support of TrustCo in any consultation exercise that is required with local groups and stakeholders

#### TrustCo

- Will agree to become the principal liaison group for all those local parties with an interest in the



Downs, for the benefit of the Downs (this will be in addition to the formal consultation run by the Downs Committee)

- Will establish a mechanism for consulting with all local residents groups, and other interested stakeholders, to ensure that it can represent the views of all local residents and stakeholders
- Will raise concerns of local groups and individuals at the bi-annual meetings
- Will provide comments on the 5-year strategic plan having consulted with all stakeholders
- Will comment on the business plan for the following year and raise issues or areas of concern in good time
- Will consider becoming an independent registered charity to enable it to fundraise in a tax efficient manner
- Will ensure that the governance structure of any new charitable entity is designed to ensure that TrustCo is a representative and accountable organisation
- Will establish a fundraising strategy to raise funds from supporters of the Downs to fund new projects on the Downs (outside of business-as-usual activity)
- Will execute the fundraising strategy, with funds being raised and paid on a restricted basis to BCC for specific purposes
- Will continue to provide volunteers to support the maintenance and improvements on the Downs

## Appendix 5

Friends of the Downs and Avon Gorge (FODAG)

Website extract:

*Our aims are: To monitor, work with and influence the Downs Committee, Bristol City Council and all those involved in the management, maintenance and improvement of the Gorge and Downs. To protect and enhance the Downs and the Gorge for the benefit both of all its users and its wildlife. To consult with, and represent, the views and aspirations of all users. Activities: Restoration projects, conservation and education. We run a full programme of talks, walks and events as well as volunteer programmes such as wildlife monitoring and deep litter clean-ups. Our quarterly newsletter features reports on our activities, articles to inform, provoke and entertain as well as views from members*

## Appendix 6

## **Role Profile: Downs Executive Coordinator**

### **Job Purpose:**

Support the Lord Mayor and the Downs Committee to fulfil the one year Work Plan in line with the Downs Principles by coordinating the various BCC executive teams and establishing constructive relationships with external stakeholders especially TrustCo.

### **Accountabilities**

- Work with the Downs Committee to ensure that the appropriate engagement takes place with diverse and relevant stakeholder groups to contribute to the formulation of the 5 year plan for the Downs.
- Work with the executive and Downs Committee Members to develop a one-year plan which subsequently forms the agenda of the Downs Committee Members for the year ahead.
- Liaise with the City Council executive officers to bring forward plans to the Downs Committee for recreation, education and conservation activities accompanied by associated planning, financial, consultation and legal ramifications.
- Work with TrustCo and Council Officers to create a fund-raising plan to generate monies to develop facilities in line with the 5-year plan. Apply to TrustCo for grants and funding for one off projects.
- Work with the various executive leads to ensure that a joined-up approach is adopted and that the plans are prepared for discussion at the Downs Committee meetings.
- Where required hold meetings with key stakeholders and community groups to gain feedback regarding the implementation of the Downs Committee plans.
- Work with other Council departments to ensure that their priorities and plans are supported by the Downs Committee and implemented effectively.
- Present with members of the executive teams at each Downs Committee Meeting and ensure timely implementation of the plans