

Terms of Reference – Downs Strategic and Governance Review

Aim

To set out a high-level strategic vision for the use and management of the Downs in accordance with the 1861 Act, and to review the governance structures and practices which will deliver it.

Deliverables

Part 1 – Strategic Vision

A publication setting out the Downs Committee's high-level vision for the use and management of the Downs. The vision must have regard to the 1861 Downs Act and is intended to be a reflection and re-statement of existing principles rather than any significant change. It should not set out details of specific projects or events and is not intended to unduly bind future Downs Committees. Rather it should create a framework for future decision-making, and give committee members, Councillors, Downs users and the public some sense of the purpose and parameters within which the Downs operates.

Contents should include:

- **Background and purpose** – a (re-)statement of what and who the Downs are for and the protections that they enjoy under the 1861 Act and other legislation
- **Conservation** – setting out the Downs' role as a site for nature conservation in the context of declared climate and ecological emergencies, and balancing that against their role as a space for recreation
- **Events and trading** – guidelines for the use of parts of the Downs for closed / ticketed events, considering the number and type of events that should take place, the needs of Downs users, event customers and neighbours and the balance between the need to generate income for the maintenance of the Downs and the requirement to maintain them as open space for all. This is not intended to set hard and fast rules or to pre-empt decisions about any specific events, simply to establish a framework for future decisions.
- **Buildings and assets** – reviewing existing developments on the Downs (buildings, paths, play areas etc) and considering where it may be desirable to replace, extend or renew them in the future. Setting out what factors should be taken into account when considering any potential new developments. **Note – this is to guide the thinking of the Downs Committee as owner / custodian of the land, it must not seek to change or replace any part of Planning policy.**
- **Public involvement** – review the means by which Downs users, interest groups and the general public can participate in the governance of the Downs, including publication of meeting documents, attendance at meetings and the right to speak and ask questions. Note that the Downs Committee is not bound by BCC standing orders on public meetings.
- **Bye-laws** – reviewing the existing Downs bye-laws (made in 1998 and 2003) and considering whether they remain fit for purpose or whether it is desirable to make any updates

Part 2 – Governance Review

A review of the structures and processes by which the Downs Committee operates and makes decisions about the day to day management and longer term stewardship of the Downs. Any changes proposed by the review must remain within the terms of the 1861 Downs Act. Although the review could suggest aspirational changes which are not deliverable within the Act, amendment of the Act is not in scope.

The review should consider:

- **Roles of each party** – the roles of Bristol City Council, The Society of Merchant Venturers and the Downs Committee in the management of the Downs.
- **Finances** – to include:
 - clarity on the ownership and underwriting of Downs funds and mechanism to deal with deficits
 - clarity on what categories of expenditure are attributable to the Downs budget and mechanisms to deal with unforeseen costs
 - Expectation on the Downs Committee to generate income to fund the costs of running the Downs
- **Scheme of delegation** – clarity over the level and type of decisions (financial or otherwise) which can be made by officers at various levels, and which need to be made by the Downs Committee or sub-committees. To include operational decisions, land use, OpEx and CapEx commitments.
- **Committee structure** – review the sub-committees which report to the Downs Committee and consider what sub-committees are required, how they should be constituted, what business they should consider (with reference to the Scheme of Delegation above), how often they should meet and whether meetings should take place in public, private or some combination
- **Ongoing review** – propose a suitable timescale and mechanism for ongoing regular review of this part 2

Process

Actions	Responsible
Working groups of DC members and relevant officers to consider review content	Led by Chair and Vice-Chair Support from relevant officers
Public engagement on strategy and public engagement work	Chair with PR support from BCC
Working groups to consider feedback and produce final report	Led by Chair and Vice-Chair Support from relevant officers
Publish final report	Chair
Ongoing reviews	Downs committee