

Brighton's Downland Estate

A New Vision for a People's Downland

KEEP OUR DOWNS PUBLIC (March/April 2017)

David Bangs, bangs682@btinternet.com Tel. 01273 620 815.

You can also contact Phil Belden pbelden@hotmail.co.uk , Chris Todd ecochris.todd@googlemail.com

Brenda Pollack brenda.pollack@foe.co.uk

1. Introduction

- 1.1. After the dropping of proposals made in 1994 for the sale of the Brighton Downland Estate a consortium of interests, made up of many voluntary sector organisations interested in the conservation of our Downs' landscape, ecosystems and its public enjoyment, published "Brighton's Downland, A Vision for a People's Countryside". This set out a positive strategy, summarized with a 'top 10' proposals for enhancing the landscape and improving public access, as well as diversifying the management, and seeking long-term security and accountability.
- 1.2. Since then there have been a number of significant developments: the Countryside & Rights of Way Act (2000), which provided for limited open access ("right to roam") on "down"; the creation of a new South Downs National Park; and the establishment of a unitary authority, Brighton & Hove City Council, which set about creating its own "vision", culminating in the Downland Initiative, with policies and an action plan of which are still being applied today. As well as Brighton, first Worthing, and, most recently, Eastbourne dropped proposed disposals of portions of their Downland Estates, after they were strongly rejected by their residents. Nationally, proposals for the privatization of the National Forest Estate were similarly rejected.
- 1.3. The 1995 consortium "Vision" document influenced a series of progressive policies and actions in the "Downland Initiative" successively implemented by all the political parties when they have been in charge of the Council. These included: the principle of open access across the Downland Estate, starting with Stanmer Home Farm and High Park Farm, to link the urban area to the scarp slope CRoW Act Access Land, then Ovingdean Grange, then the old Patcham Court Farm, a total designation of over 2000 acres of new access land; re-writing of a series of farm tenancy agreements, such as Paythorne Farm; and landscape and habitat restoration, where the Brighton Downs has a significant internationally rare chalk grassland resource.
- 1.4. The Downland Initiative has been constrained by the ebb and flow of political will, and has lacked a steady strategic programme of conservation, enhancement and improving public access. As a result, much of the Downland Estate has seen relatively few public access gains, and only limited targeted and fine-tuned habitat and landscape restoration. Despite Brighton & Hove's Food Partnership, there have been no inclusive and alternative food production initiatives on the Downs, and one such proposal, for Falmer's Park Wall Farm, has been obviated by its recent sale. The Defra-sponsored National Park Nature Improvement Initiative has enabled some modest success, such as the creation of chalk flora, butterfly and bee banks. However, important habitat areas have seen little management and continue to deteriorate (such as Big Bottom, Loose

Bottom, Sweet Hill east slope, Mount Pleasant Ovingdean, and Bevendean Valley south slope) or to enter new declines from previous good condition (like Bullock Hill north slope part-SSSI, Balsdean) and there has been no significant landscape restoration or re-creation.

- 1.5. The UNESCO international Biosphere Reserve status has provided a golden opportunity to refresh the Vision and the Downland Initiative, but this has been disappointing to date. Efforts that have been made to raise awareness and involve people in the area have had minimal effect on the Downland. The public's engagement with their Downs has not improved, and the recent Downland disposals have highlighted the disconnection between the Council and its people.

2. Protections, Designations and Tenancy Arrangements

2.1 Tenancies

- 2.1.1 Tenancies have been renegotiated on a number of our farms since 1995. At Paythorne Farm the land is now range-grazed and with open access, but little scrub control has taken place on a core archaic grassland fragment. Major improvements have been made at Patcham Court Farm, Stanmer Home Farm, and High Park Farm in both public access and restoration of permanent pastures. Similar changes have been made at Ovingdean Grange Farm, though with little identifiable improvement in the quality of relict chalk grassland habitat.
- 2.1.2 Large parts of the rest of the Estate have yet to see significant new public benefits in access, or in the creation of new species-rich chalk grassland and the restoration of archaic high quality chalk grassland. We await the implementation of the Downland Initiative on farms such as Mile Oak, Portslade New Barn, Waterhall, Balmer, Housedean, Falmer Court Farm, Rottingdean New Barn, Balsdean and Pickers Hill.
- 2.1.3 Several of those farms were obliged to respond drastically to the effects of their damaging farm practices which had resulted in the major flooding of large urban areas in 1987 and subsequently: like Portslade New Barn Farm, Rottingdean New Barn Farm, and Upper Bevendean Farm. However, large-scale conversion of land to pasture was not nuanced sufficiently to bring benefit to some wildlife, such as farmland birds like Corn Bunting and Yellowhammer that depend on mixed farming with traditional arable rotations. The restoration of chalk grassland has to proceed alongside the restoration of older arable rotations with the use of winter forage crops and winter stubbles and the rolling back of herbicide and pesticide usage. Sheep were as much livestock of arable as they were of Down pasture under the old 'sheep and corn' economy.
- 2.1.4 Furthermore, the patchwork of different farm tenancies needs a far stronger strategic overview, with a clear targetted footprint for the return of extensive biodiverse permanent pasture and tillage. It also needs clear policies on the unacceptability of damaging activities, such as intensive game-shoots or commercial drone flying. The restoration of wildlife-rich farm landscapes on public Downland needs to be predicated on enhanced public access and accessibility, within an environmentally sustainable economic system.

2.2 Protective designations

2.2.1 These have a limited defensive function and do not oblige landowners' positive management action. Cultural ecosystems like archaic chalk grassland depend on positive continuity of management to survive. The cessation of such management for even short periods of time can have drastic negative effects on already isolated and declining rare species, habitats and ecosystems.

2.2.2 The main national level statutory protective designations on the Brighton Downs are Sites of Special Scientific Interest and Scheduled Ancient Monuments. Management of these sites ranges from good to very poor.

2.2.3 **Sites of Special Scientific Interest (SSSIs)** have not been protected from drastic damage in the recent past (such as at Twyford Down, Winchester, with the construction of the M23). Within the Castle Hill SSSI, near Woodingdean, there has been a recent history of low or no grazing, with disastrous results in terms of both sward quality and public accessibility, and gorse management has also been neglected. These are worrying problems for one of the best archaic grassland treasures in the entire National Park. Two parts of the Clayton to Offham Escarpment SSSI are in the Downland Estate. Plumpton Hill was poorly managed, but is now improving with the input of the National Park Authority, though it still has problematic levels of scrub cover. Part of Ashcombe Bottom is within a farm tenancy and receives little management. Its dense scrub is simplifying and has lost breeding Nightingale and the regular presence of Turtle Dove and Cuckoo.

Scheduled Ancient Monuments (SAMs). Locally several Downland SAMs have been damaged recently by public authorities. Brighton Council caused damage to the Whitehawk Hill SAM by nearby home building. The Portway SAM at Hangleton and the Eastwick Barn Field System SAM were both part-destroyed by the A27 Bypass construction. Some SAMs on the Downland Estate are well presented and are in good condition, such as Old Stanmer Village Earthworks, Falmer Court Farm Earthwork, and Pudding Bag Wood tumuli. Others in Council ownership have suffered modern damage by farm tenants, such as at Buckland Bank, or are neglected and with poor identities, such as Balmer medieval village, The Bostle tumuli, part of the Ditchling Beacon enclosure, and Loose Bottom enclosure, Falmer.

Local Wildlife Sites (LWS, formerly SNCIs – Sites of Nature Conservation Importance) are included in the Council's Local Plan to influence planning decisions. They also provide guidance as to appropriate management (such as grazing or mowing chalk grassland). Some are in poor condition and are losing their special ecosystems and species. Such **local authority voluntary designations** have even less "protection" than SSSIs and SAMs. They depend upon the good-will of farm tenants, upon external financial incentives and upon farm tenancy agreements.

More constructive working could be done with improved liaison between the Council, its farmers, and the public towards a land management partnership, rather than the current remote management relationships.

3. Social and Economic Value

3.1 The core value of the Downland Estate is that it is able to focus all the productive and restorative energies of our community for a profoundly important public good. The Estate has dual functions

of a crucial food growing resource and a form of “common” (like the sea and the beach). In this it is at the heart of the National Park project.

- 3.2 This resource has been drastically damaged in the past century by modern agri-business and by built development. Well over 90% of the archaic grassland resource has been destroyed by modern agriculture. Tranquility has been profoundly impaired by visual and aural pollutions: the noise of the A23 and A27 bypass, powerlines, sprawling suburbs across high downland ridges (at Woodingdean, Patcham, Hollingbury, Dyke Road, Saltdean) and broad valleys (at Mile Oak, Rottingdean / Saltdean, and the other ‘deans’).
- 3.3 Our public ownership of the resource provides the potential for addressing this damage in our shared project of landscape restoration and the restoration of our close human contact with nature and sustainable food production.
- 3.4 We can see some cases where public subsidy and access to external rents and investment resources have enabled private landowners to invest in very valuable nature conservation and landscape restoration: places like the Norfolk Estate at Arundel and the Knepp Estate at Shipley. However, these estates do not provide the holistic integration of public goods that public sector landholdings like the local authority Downland estates, the National Forest Estate and the National Trust provide. The Norfolk Estate project is predicated on intensive game-bird preservation with constraints on public access and heavy predator control (of attractive species like Stoat and Weasel, as well as others). The Knepp Estate has abandoned major food production responsibilities and only produces premium products (like venison and other meats).
- 3.5 It is vital to remind ourselves that contact with nature, with the elements, with green vegetation, with animals and plants, and with openness and wildness have the capacity to move, to heal, to calm, to replenish and to restore. The sky music of Larks, a drift of Cowslips, the coconut scent of Gorse, the soft bleatings of lambs, the lowing of cattle, the passing of clouds, the rays of the sun at dusk, the line of the Downs, all bring peak experiences to our stressful urban lives.
- 3.6 Nature, of which countryside is the landscape-scale expression, is the single most important resource for self-actualisation which humans possess, after the warmth of friends and the love of families.
- 3.7 This restorative, healing resource is available – free – without entry fee. It forms a green arc wrapped around our City’s built up area. It is well served for those who are able to walk or run, cycle or ride. It has the potential for vastly improved access for all those disadvantaged by poor personal mobility and poverty. Achieving that is our shared task as citizens and co-owners of this heritage.

4. Impediments to the Task

4.1 Failures of vigilance

- 4.1.1 The recent sales proposals serve to highlight a major failure of vigilance. This is partly because the body of councillors, with the best will in the world, lacks detailed local knowledge of the Estate

and its value. Current governance (by senior Estates officers and a distant land agency) serves to exacerbate such failures of vigilance. We can thus expect further disasters to follow if we don't initiate more publicly-inclusive governance.

4.1.2 This is not the first time since the 1990s sell-off proposal that disaster has happened. Some years ago Falmer Court Farmhouse, farm cottages and manorial barn were sold without any public knowledge. This reduced the 600+ acre farm's supporting buildings to a large modern shed and a small yard. The wonderful thatched manorial barn and old farm buildings are now hidden away in deteriorating condition. East Brighton Golf Course was sold with almost no publicity circa 1996. Though it is blessed by a valuable chalk grassland slope at its centre, there has been little conservation management activity and no public access gains since that sale.

4.2 Culture of secrecy

4.2.1 At present even minimal information on governance is withheld from the public and the media, even when requested. When the BBC contacted the council querying the rumour of Downland disposals, they were told to submit a Freedom of Information (FOI) application. The first reaction of one senior officer to our FOI request for details of the sales was to deny it. Only subsequently was some FOI information conceded, whilst consistently withholding other information requested.

4.2.2 Even in the old days, before the Downland Initiative, the Council's reports of the Property Sub-Committee's "Annual Inspection of Farmlands" routinely included rentals and maps of the let farms, recent histories of the farms and their tenants, details of farm enterprises and proposed farm investment projects, background on market conditions, details of related conservation and access projects, descriptions of agri-environment initiatives and so on.

4.2.3 From time to time, there have been attempts to build a more inclusive relationship between Brighton & Hove residents and the Estate, but they have lacked political will to maintain momentum and drive them forwards. It needs a sustained commitment to establish an effective open governance regime, drawing in the necessary expertise and interests.

4.2.4 This process started back in the 1980s with the Parklands & Countryside Advisory Group, made up of councillors and officers from the relevant departments, along with representatives from key organisations. In the 1990s, following the Downland Estate sell-off proposal, the change in land agents (from Strutt & Parker to Cluttons) saw an embryonic 'sustainable farms policy' paper, which resulted in an Interim Farm Policy in 2001. The CRoW Act stimulated discussion on how to enhance public access and 'The Space to Be, A Vision for the Downs' was produced. Consultation and reports led to the Downland Initiative with an annual action plan, along with public meetings, an expert panel and a farmers' forum. Attempts have been made to rejuvenate the operating mechanisms when the political will has been there, such as through the, now-defunct, City Sustainability Partnership. The last attempt was in 2014 when the Downland Estate Advisory Board was running with a senior officer chairing it and councillors also attending.

4.2.5 There have been other related vehicles, such as the Open Spaces Forum, but this had poor political backing and existed for only a short time. It lacked any sharp focus on the Downland Estate, being driven by concerns for urban parks and open spaces. There is also the statutory Local Access Forum, but this has also suffered from a lack of commitment by the council.

4.3 The ‘property portfolio’ culture

- 4.3.1 In the management of private landed estates, the realisation of capital by land or building sales is standard practice. Whilst core areas of an estate (perhaps the main house and gardens / park) may be regarded as sacrosanct, particularly if the family have historic connections to the place, other land is sold, or separated by inheritance, often with some degree of readiness, particularly if big money can thus be made.
- 4.3.2 This is wholly contrary to the conservation estate model of management. Most National Trust land is designated as inalienable upon acquisition, under its statutes. City of London Corporation land has the same status in practice, though it is not governed by statute in the same way. County Wildlife Trust estates are managed on the same presumption.
- 4.3.3 Brighton Downland Estate properties like Whitehawk Hill (apart from the Racecourse), Plumpton Hill, Castle Hill National Nature Reserve, or Big Bottom, Westmeston, are not – and never were – in Council ownership because of their commercial value. They are a perpetual public resource – a part of our Brighton “commons”.

5. A Way Forward

5.1 New governance arrangements

- 5.1.1 We need an ongoing discussion on a new form of body for the governance of the Downland Estate, to continue the evolution that began in the 1980s with the first Advisory Group. It needs to have a solid grounding in democratic inclusion. Such a body needs to include both councillors and representatives of all the main (currently excluded) interest groups (such as recreation, sport and well-being, nature, history and pre-history and their conservation, education, estate workers representatives) chosen by themselves.
- 5.1.2 This new governance body should be open and public. It should have the power to initiate its own proposals and to ‘call in’ all proposals and projects that affect the Estate. There needs to be a presumption that its decisions will be given weight (as with the previous Advisory Panels and old Scrutiny Committee).
- 5.1.3 Council senior Estates officers and the Downland Estate manager (see below) should report to this body, which should have the standing of a sub-committee of Policy, Resources and Growth Committee (PRG).
- 5.1.4 It would be advisable for the Estate businesses (farming, livery, and others) to meet separately in their own business association, so they may distinctly represent their core economic interests, which are separate to those who engage with the estate’s public, non-commercial imperatives.
- 5.1.5 The body needs to be party to the negotiation of all new tenancy agreements and rent reviews. It should have the power to choose new tenants. It needs to have access to all core financial information that is not of a narrow personal nature.

5.2 Ending distant management

- 5.2.1 We need to appoint our own directly employed Downland Estate Manager to replace management at distance by an external land agency. This manager would have a call upon and oversight of council rangers in their operations on the Downland Estate, and would be required to take into account the advice of the Council Conservation Manager. They would perform all the functions currently undertaken by the external land agency, with Council staff directly accountable and a clear budget. They would take instructions directly from the Director of Environmental Services, subject to the decisions of the new governing body and PRG Committee.
- 5.2.2 A dedicated Downland Estate Manager would obviate the conflict of interest between the commercial imperatives of an external agency and the public, non-commercial imperatives of the Estate.
- 5.2.3. The integration of the farming, conservation and public access management tasks on the Downland Estate under a new Estate Manager would also serve to drive forward practical conservation of neglected high value farm sites. (At present, for instance, the Council grazier only works on 14 urban fringe sites and not on the let farms).

5.3 Volunteer monitoring body

- 5.3.1 At present the farmed Downland is very under-used by the public. The cultural hostility of some tenant farmers to free public access is compounded by the public's timidity - fear - of straying from limited 'honeypot' sites and well-used linear rights of way.
- 5.3.2 This means that basic monitoring of important archaic chalk grassland, scrub and arable sites and their key species is not undertaken, and abuses can go undetected. It is sobering to remember the litter pollution of Poynings Field over the past three years; the neglect of important chalk grassland habitat such as the Balsdean part-SSSI; and the destruction of archaic chalk grassland at Mount Zion, Portslade.
- 5.3.3 We need to build on the model of the Council rangers' volunteer "Lookering" scheme, which now has some 150 volunteers, most of whom regularly "looker" (oversee the welfare and security of the sheep) on conservation grazing sites close to them. The proposed new "Pathwatch" scheme being developed by the City's Rights of Way officer also provides a partial model upon which to build.
- 5.3.4 If such a volunteer monitoring service was created for the wider farmed Downland Estate its volunteers could undertake seasonal monitoring of important habitats and species in partnership with the farm staff, rangers and expert naturalists. They could also monitor the condition of sites of archaeological interest.
- 5.3.5 Over time such links and new relationships would build public confidence to explore and enjoy more widely.

5.4 New partnerships with other social and public sector landowners

- 5.4.1 At present the National Trust is developing a partnership proposal for public sector landowners between the River Adur and Eastbourne based on the need to address the tasks of chalk grassland conservation on a landscape scale ('Farm Clusters', taking over from the Nature Improvement Area initiative). At the same time the Sussex Wildlife Trust is now providing advice on the Brighton Downland Estate in matters of concern raised on planning issues (after the deletion of the City Ecologist's post).
- 5.4.2 Such partnerships are predicated on detailed knowledge of the wildlife communities of this landscape and high levels of local knowledge and engagement. They cannot be managed by distant commercial land agents and Council commercial property managers.

6. Future political uncertainty

- 6.1 There has been a wave of opposition to local authority disposals of public land under the pressure of austerity funding cuts. The lesson of these campaigns is that the greater the level of public engagement with the local components of the national conservation estate, the easier it will be to win back adequate resources for their maintenance and halt further disposals.
- 6.2 The strong stand of Surrey County Council drew in some new (though not enough) resources for a County with a large County Council smallholding estate and very large scale conservation landholdings on heath and down, common and waterlands.
- 6.3 Worthing Council's rapid re-commitment to their Downland Estate in 2011 after first mooting its disposal shows that councillors, like all of us, need encouragement to 'stick to their guns'.
- 6.4 Eastbourne councillors were shocked to re-discover the depth of people's commitment to their long-standing public countryside.
- 6.5 If the suite of Sussex local authorities with major landholdings (East Sussex, Eastbourne, Brighton, Adur and Worthing) as well as all those other Sussex local authorities which value their public lands, stand together, they can halt the slide to major disposals and act as a beacon for other more isolated local authorities in less privileged parts of Britain.

7. Maps

- 1. Brighton Downs public sector landownership (all public bodies estates)
- 2. Let farms, recreational and other service uses on the Downland Estate
- 3. Areas with new public access land created by Brighton Council
- 4. Protected Downland sites in the Downland Estate