

Agenda Item 15
Report PR34/18

Report to	Policy & Resources Committee
Date	19 July 2018
By	Head of Business Services
Title of Report (Decision)	Enterprise and Investment Task and Finish Group (EITFG) Terms of Reference and Forward Programme

Recommendation: The Committee is recommended to:

- 1. Agree the updated terms of reference set out at appendix 1.**
- 2. Delegate Authority to the Chief Executive in consultation with the Chair of the Committee and the Chair of the Authority to appoint additional members to the Task and Finish Group as set out at paras 3.3-3.5**
- 3. Note the forward programme of activity for the Task and Finish Group.**

I. Introduction

- I.1 At its meeting in May 2017 the Policy and Programme (P&P) Committee established the Enterprise and Investment task and finish group (EITFG) for the purposes of
“...steering the development of a framework to enable the Authority to be in a position to respond as appropriate if approached by third parties seeking to dispose of assets which may or may not have a relationship to our Purposes and Duty. Specifically, although not limited to, Seven Sisters Country Park.”
- I.2 The key deliverables of the group, as agreed in the Terms of Reference by the P&P Committee in May 17, are:
 1. To consider the options for the future of Seven Sisters Country Park including the potential acquisition and associated risks.
 2. If it is considered appropriate consider and recommend a business case in relation to the acquisition of Seven Sisters Country Park.
 3. To consider and recommend the best vehicle for such an acquisition.
 4. To develop and recommend the economic components of the Partnership Management Plan and refine the criteria and guidelines for future investments and acquisitions as established in the 2017/18 budget round.
 5. To provide views to the Authority and/or the Trust on emerging opportunities for acquisitions and investments if they arise during the lifetime of the group.
- I.3 This group was originally established for 6 months, with any extension of this duration to be agreed by the Policy and Resources (P&R) committee, as the successor committee to the P&P Committee that established the group.
- I.4 Following a call for members sent out on behalf of the Chair of the Committee at the end of May 2017, the membership of the group was formally appointed by the Chief Executive following consultation with the Chair of the then P&P Committee and Chair of the Authority.

2. Policy Context.

- 2.1 The purpose of the Task and Finish Group is primarily to consider of the options and risks surrounding the future of Seven Sisters Country Park, following the decision of East Sussex County Council (ESCC) to dispose of the site to a countryside body as part of its countryside review. This includes the consideration of the establishment of a separate legal entity, such as a company, to take on the asset.
- 2.2 It is important that this exercise is placed in the context of the Authority's approach to income generation and potential acquisition and/or investments established through discussions at previous budget workshops and set out in the Authority's Corporate Plan, including the criteria supported by Members in the 2017/18 budget round. The Task and Finish Group was asked to guide the production of the SDNPA's economic strategy that will form one of the strategies underpinning project prioritisation and the new Corporate Plan.
- 2.3 The Group was also tasked to ensure that the Authority is in the best possible place to respond to potential opportunities and risks that may arise from commercial, investment or acquisition opportunities in support of the emerging economic strategy.

3. Issues for consideration

Timeframe

- 3.1 Work on the economic components for the PMP is ongoing and has influenced the initial expression of interest submitted to ESCC for Seven Sisters Country Park. This is expected to feed into work of the PMP task and finish Group at the appropriate time.
- 3.2 As no decision has yet been made in relation to the disposal of the Seven Sister's Country Park by ESCC the Committee is asked to extend the timeframe for the work of the EITFG to July 2019, this is reflected in the updated Terms of Reference in **Appendix I**. This could enable the group to conclude its work on the Seven Sisters site and allow for any lesson learnt/process changes to be considered and reported upon as well as give time to conclude the work on the economic components work for the PMP.

Membership

- 3.3 As the work of the EITFG is moving from an explorative phase to a more focussed development and appraisal of options now is the time to consider if additional member input may benefit the Group. Further consideration is required concerning the skills needed to assist the development of the business case and other associated documents etc. required to inform the Committee and Authority's future decisions.
- 3.4 The 2017 Governance review agreed that membership of T&FG's would be open to all members and the committee would make a decision on the membership of any group it establishes, following a recommendation from the Chair of the Committee and the Chair of the Authority. In order for this consideration to be undertaken the committee is asked to delegate the appointment of any additional members to the Chief Executive, in consultation with the Chairs.
- 3.5 An invite to join the group will be sent to all other members following agreement of the recommendations

Future work programme

- 3.6 A decision by ESCC on the future of the Seven Sister's site is not expected until December 2018 at the earliest. Until the outcome of this decision is known no firm action can be taken by the SDNPA, other than to ensure it is in the best possible position to respond.
- 3.7 It is planned that, in addition to the ongoing work of the EITFG a Member workshop will be held prior to the NPA meeting on 16 October 2018. This will enable members to review the current position and discuss, amongst other things, the risks, opportunities and governance implications of the EITFG's emerging recommendations.
- 3.8 Subsequent discussion at P&R Committee and NPA will be scheduled following the workshop and the outcome of the ESCC decision.

Future decision making

- 3.9 Following the finalisation of the EITFG's work in July 2019 it will be necessary to consider how future decisions are taken in relation to Seven Sisters Country Park and other

opportunities as they arise. This will be the subject of a further paper arising from the conclusions of the current EITFG's work and outputs of the planned Member Workshop, in line with point 4 of the EITFG's terms of reference

4. Options & cost implications

- 4.1 Funding for preliminary work of the Seven Sisters County Park proposals is included in the core budget. No additional resource is requested through this paper.
- 4.2 If the committee does not extend the duration of the EITFG further consideration will need to be given how the continue work on the Seven Sisters proposals and ensure appropriate member input is fed into this work.

5. Next steps

- 5.1 The next steps are set out under paragraphs 3.6 – 3.8 above

6. Other Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	Yes –P&R Committee and NPA will be required to take decisions in relation to any amendments arising from the review.
Does the proposal raise any Resource implications?	None outside of agreed core budget
How does the proposal represent Value for Money?	The proposal sets out to ensure efficient effective and transparent decision making and to provide a direct route for Members to input their commercial expertise and experience.
Are there any Social Value implications arising from the proposal?	None arising directly from this report
Have you taken regard of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	None arising directly from this report The requirements of the equalities act will be considered by the working group when undertaking its review and prior to making its recommendations
Are there any Human Rights implications arising from the proposal?	None
Are there any Crime & Disorder implications arising from the proposal?	None
Are there any Health & Safety implications arising from the proposal?	None
Are there any Data Protection implications?	None at this stage – the data protection implications of any proposal will be considered at the appropriate stage of their development
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy:	The proposal contributes to principle 4: Promoting good governance.

7. Risks Associated with the Proposed Decision

- 7.1 This proposal is designed to enable the Authority to respond to opportunities and risks in a timely fashion and present recommendations for decisions to the Authority or relevant

decision making body. This will help mitigate risks that opportunities to act in the best interest of the National Park are missed.

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Appendices	I. Proposed updated terms of reference
SDNPA Consultees	Chief Executive; Director of Countryside Policy and Management; Director of Planning; Chief Finance Officer; Monitoring Officer; Legal Services, Business Service Manager
External Consultees	None
Background Documents	None

Terms of reference updated July 2018:

Name of group	Enterprise and Investment Task and Finish Group
Purpose	To steer the development of a framework to enable the Authority to be in a position to respond as appropriate if approached by third parties seeking to dispose of assets which may or may not have a relationship to our Purposes and Duty. Specifically, although not limited to, Seven Sisters Country Park.
Outcomes & Deliverables	<ol style="list-style-type: none"> 1. To consider the options for the future of Seven Sisters Country Park including the potential acquisition and associated risks 2. If it is considered appropriate consider and recommend a business case in relation to the acquisition of Seven Sisters Country Park 3. To consider and recommend the best vehicle for such an acquisition 4. To develop and recommend the economic components of the Partnership Management Plan and refine the criteria and guidelines for acquisitions for future investments and acquisitions as established in the 2017/18 budget round 5. To provide views to the Authority and/or the Trust on emerging opportunities for acquisitions and investments if they arise during the lifetime of the group.
Duration	<p><i>*The Task and Finish Group will conclude its work no later than July 2019*.</i></p> <p>Any extension to the duration of the group will be agreed by the parent committee.</p>
Membership	<p>Members (appointed May 2017) – Jo Carr, Norman Dingemans, Sebastian Anstruther & Ian Phillips</p> <p>The Chief Executive, the Director of Countryside Policy and Management and the Head of Business Services</p> <p>Additional members to be agreed July 2018</p>
Accountability	<p>The Task and Finish Group will deliver its outcomes to its parent committee.</p> <p>The Group will have no policy or formal decision making powers and will take its steer on policy matters from the NPA and its parent committee.</p>
Review	The Membership and remit of the Task and Finish group will reviewed at least 6 monthly by its parent committee and any changes agreed by a meeting of the Committee
Working methods & meetings	<p>The Task and Finish Group will appoint its own Chair from amongst the members of the group.</p> <p>The Chair of the Task and Finish Group may call a meeting of the Group as and when required.</p> <p>The quorum of the Task and Finish group will be 3, at least two of whom should be members.</p> <p>The Task and Finish group may invite partners, stakeholders or others to its meetings as it feels appropriate</p> <p>The group may, via a workshop, present its draft findings to the wider membership in advance of submitting its final recommendations.</p>

	The groups final report will submitted via an Officer to its parent committee for approval.
Resources	<p>The group will have no budget or allocated resources.</p> <p>Support will be provided by the Business Services Team and the named officer members of the group.</p> <p>Where appropriate the group may make recommendations to the relevant officer or committee for the allocation of resources where it feels additional work may need to be undertaken.</p>
Amendment, modification or variation	Amendment, modification or variation of these terms of reference can only be made by resolution of the parent committee.