



South Downs
National Park Authority

Agenda Item 15
Report PR09/19

Report to	Policy & Resources Committee
Date	28 February 2019
By	Head of Business Services
Title of Report (Decision)	Enterprise and Investment Task and Finish Group Amendment to Terms of Reference

Recommendation: The Committee is recommended to agree the updated terms of reference set out at appendix I.

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.

1.5 Additional members were subsequently appointed to the EITFG in July 2018, at which time the P&R committee also agreed an extension to the timeframe for the operation of the group.

2. Policy Context.

2.1 The purpose of the Task and Finish Group is primarily to consider 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

3.1 The proposed change to the Terms of reference follows on from discussions that took place during the 2019/2020 budget round in relation to the development of the Authority's approach to commercial activity, where it was felt the EITFG was best placed to lead on the development of a programme of potential commercial activities. As part of its work the EITFG will need to consider emerging ideas against the legal/governance framework that has been developed. This is in addition to its ongoing activity in relation to Seven Sisters Country Park and development of the economic components of the PMP.

3.2 Subject to approval by the Authority in March, a budget has been identified to commission expert advice to assist the group in this activity.

4. Options & cost implications

4.1 Funding for preliminary work of the Seven Sisters Country Park proposals is included in the core budget. No additional resource is requested through this paper for this work.

4.2 The 2019/2020 budget proposals include a budget line related to commissioning expert advice. If this budget is not approved the EITFG will need to consider how best to deliver this outcome, which may be the subject of a further paper to the Committee.

5. Next steps

5.1 If the change to the terms of reference is agreed, and subject to the approval of the budget by the Authority in March the EITFG will begin work to consider the range of commercial opportunities that may be open to the Authority and will report back to the Committee in due course.

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?	See para 4.1 &4.2

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 Jan 2019:

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. 6. Review identified opportunities for income generation through commercial means and where appropriate recommend the development of business case(s) for consideration.
Duration	<p>The Task and Finish Group will conclude its work no later than July 2019.</p> <p>Any extension to the duration of the group will be agreed by the parent committee.</p>
Membership	<p>Members– Jo Carr, Norman Dingemans, Sebastian Anstruther, Ian Phillips, Pete West, Neville Harrison & Robert Mocatta</p> <p>The Chief Executive, the Director of Countryside Policy and Management and the Head of Business Services</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>

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	<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> <p>The groups final report will submitted via an Officer to its parent committee for approval.</p>
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	<p>Amendment, modification or variation of these terms of reference can only be made by resolution of the parent committee.</p>

