



Reigate & Banstead
BOROUGH COUNCIL
Banstead | Horley | Redhill | Reigate

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TO	Commercial Ventures Executive Sub-Committee
DATE	Wednesday, 17 July 2019
EXECUTIVE MEMBER	Portfolio Holder for Investment and Companies

KEY DECISION REQUIRED	N
WARDS AFFECTED	(All Wards)

SUBJECT	Terms of Reference and Membership - Commercial Ventures Executive Sub-Committee 2019/20
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EXECUTIVE SUMMARY
Following the approval of the establishment of the Commercial Ventures Executive Sub-Committee and the associated delegations at the Executive meeting of 30 May 2019, this report sets out the terms of reference, together with the membership, of the Commercial Ventures Executive Sub-Committee for the 2019/20 Municipal Year.
RECOMMENDATIONS
The Committee is asked to note: <ul style="list-style-type: none">(i) The terms of reference for the Commercial Ventures Executive Sub-Committee, including the Commercial Governance Framework, as set out in Annex 1 to this report.(ii) The membership of the Commercial Ventures Executive Sub-Committee for the 2019/20 Municipal Year, as set out in Section 1 of this report.
REASONS FOR RECOMMENDATIONS
The Commercial Ventures Executive Sub-Committee is asked to note this information to support awareness of the governance of the Sub-Committee and support its effective future operation.
The Commercial Ventures Executive Sub-Committee has authority to approve the above recommendations.

KEY INFORMATION

Membership

1. The membership of the Commercial Ventures Executive Sub-Committee, as appointed by the Leader of the Council for the 2019/20 Municipal Year is:
 - Councillor Mark Brunt
 - Councillor Tony Schofield
 - Councillor Tim Archer
 - Councillor Victor Lewanski
2. There are no nominated substitute members. The Leader of the Council can appoint substitute members to the Commercial Ventures Executive Sub-Committee during the year.

Terms of Reference

3. The remit and terms of reference of the Commercial Ventures Executive Sub-Committee were approved by the Executive at the meeting of 30 May 2019. The terms of reference are set out in Annex 1 to this report.
4. As set out in the terms of reference, the Commercial Ventures Executive Sub-Committee was established to:
 - Consider and take decisions with regard to the potential establishment of commercial ventures and the undertaking of other investment activities by the Council.
 - Exercise the function of the Council as a shareholder or partner, in relation to companies, partnerships or other commercial entities owned or part owned by the Council.
 - Monitor and review the performance of commercial ventures undertaken by the Council, and to take decisions on the management of those commercial ventures.
 - Monitor and review the performance of investment activities undertaken by the Council, and to take decisions on the management of those investments.
5. As set out in the terms of reference, the Commercial Ventures Executive Sub-Committee shall undertake all matters relating to commercial ventures in accordance with the Commercial Governance Framework. This framework forms Appendix 1 to Annex 1 of this report.
6. The Commercial Governance Framework was adopted by the Executive at the meeting of 18 March 2019, following the findings of the Commercial Governance Review Member Task Group.

OPTIONS

7. **Option 1:** To note the terms of reference and membership of the Commercial Ventures Executive Sub-Committee, as set out in the report. This is the recommended option as it will support the future work and governance of the Commercial Ventures Executive Sub-Committee.
8. **Option 2:** To note the terms of reference and membership of the Commercial Ventures Executive Sub-Committee, as set out in the report, and request any changes to the agreed terms. This is not the recommended option as it could delay

the operation of the Commercial Ventures Executive Sub-Committee and changes might not be as well supported by the findings of the Commercial Governance Review Member Task Group.

LEGAL IMPLICATIONS

9. There are no direction legal implications arising from the recommendations of this report.

FINANCIAL IMPLICATIONS

10. There are no direction financial implications arising from the recommendations of this report.

EQUALITIES IMPLICATIONS

11. The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
 - Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
 - Advance equality of opportunity between people who share those protected characteristics and people who do not;
 - Foster good relations between people who share those characteristics and people who do not.
12. The recommendations set out in the report relate to the membership and terms of reference for the Commercial Ventures Executive Sub-Committee and carry no direct implications for the Council's general equality duty. However, the Sub-Committee should ensure that it has regard for these duties by considering them throughout its work and decision making.

COMMUNICATION IMPLICATIONS

13. There are no direction communication implications arising from the recommendations of this report. There are no direct communication implications as a result of this report. However, as identified in the Commercial Governance Framework, the Commercial Ventures Executive Sub-Committee should have regard for the Local Authorities (Companies) Order 1995, which sets out the rights for authorities and individual Members to receive company specific information.

RISK MANAGEMENT CONSIDERATIONS

14. There are no direction risk management implications arising from the recommendations of this report.

BACKGROUND PAPERS

15. Commercial Governance Review (Executive, 18 March 2019)
<https://reigate-bansteadintranet.moderngov.co.uk/mgAi.aspx?ID=1565>