

Terms of Reference July 2015

The Local Action Group is the partnership responsible for the Local Development Strategy under the authority of the Accountable Body. It has responsibility for the leadership, implementation, monitoring and review of the Local Development Strategy, and is responsible for taking all major decisions affecting its successful delivery, including decisions on the allocation of funding to projects to achieve the LDS objectives.

The Decision Making Panel is formed from a subset of the Local Action Group and its members are selected by the Accountable Body based on the necessary skills and experience needed for a particular selection panel. Each panel will consist of a minimum of 3 members and this membership will be amended from panel to panel as required. Any LAG member that lives in the Loddon and Test LEADER area can vote on a panel. Organisations working across the area but located outside may not become a Decision Making Panel member. The Programme Manager attends DMPs but does not have voting rights. Decisions shall be determined by a simple majority of the members present at a meeting. A Chair will be elected by the panel for each meeting.

The Accountable Body is responsible for delivery of the programme on behalf of the LAG, holds itself responsible for successful conclusion of the programme, and undertakes to ensure that financial propriety and compliance is observed in its management and administration of the programme. The Accountable Body is also responsible for personnel, accountancy and administrative services to the LAG and the programme. It must carry out its responsibilities in accordance with the National Operations Manual.

Duties

The Accountable Body will:

- Enter into funding agreement with RPA RD
- Prepare and submit annual Delivery Plans and Attestation Reports
- Ensure that as many sectors of the community as possible can contribute to the delivery of the LDS
- Provide advice and technical support to the LAG on RDPE policies and processes, and in particular advise the LAG on issues of eligibility and compliance, including conflicts of interest. Programme staff and LAG members should refer to the Conflict of Interest Policy and Code of Conduct produced by the Accountable Body.

- Manage the Loddon and Test LEADER Programme website and associated branding, marketing and publicity material.
- Provide advice and support to project applicants to enable them to submit eligible applications for funding which meet the LDS priorities and objectives
- Process applications for funding and undertake appraisals where this is not undertaken by an externally appointed consultant.
- Elect Decision Making Panel members from the LAG for each panel and review the group's membership to ensure it meets criteria for appropriate sector representation and remains effective.
- Ensure that projects selected for support
 - Meet eligibility criteria (subject to RPA RD confirmation)
 - Fit with the priorities of the LDS
 - Undergo a transparent and compliant application and selection process
- Enter into grant funding agreements with approved projects, incorporating appropriate conditions in accordance with decisions made by the LAG
- Manage projects' performance against their funding agreements
- Undertake project visits to verify progress and ensure compliance
- Process grant claims and present these to RPA RD for authorisation and payment
- Maintain project and programme records to audit standards, and make these available for audit as required
- Prepare regular progress and financial reports to the LAG and RPA RD
- Employ and manage LAG staff
- Incur eligible expenditure for Management and Administration, and submit quarterly claims in arrears.

The Local Action Group will:

- Develop and agree the Local Development Strategy (LDS)
- Approve the Annual Delivery Plans
- Recruit a wide range of LAG members, reflecting the makeup of the area and the priorities of the LDS
- Conduct its business in a compliant manner, acting on the advice of the Accountable Body on legal and technical issues as necessary. Ensure that they follow the guidance set out in the Conflict of Interest Policy and Code of Conduct.
- Promote LEADER and bidding opportunities, with clear selection criteria, to all potential applicants in the LAG area, using their networks as widely as possible.
- Select and prioritise projects according to their contribution to the LDS objectives and targets and ensure all approved projects provide good value in their use of EU funding and follow best practice in all their financial activities.
- To work with programme staff, feeding back advice and guidance on applications and making recommendations where required.
- Via a sub-group Decision Making Panel, approve projects with funding levels, outputs, timescales and any conditions

- Monitor the implementation of the LDS and review as necessary
- Make effective links with other key organisations, champion, promote and stimulate interest in the Loddon and Test LEADER Programme, through their contacts with local stakeholder groups, both within and outside the LAG area
- Work to ensure there is co-ordination of activity with other strategies (such as the LEPs) and the work of other agencies, and to reflect the view of the wider community.
- To respond to communication relating to LAG activities, outside of meetings, as and when required (liaising with the Programme Manager as required).

The Decision Making Panel will:

- Make decisions on the more detailed aspects of implementing the Loddon and Test LEADER LDS and to provide support to the Programme Manager. The decisions of the DMP are final and cannot be referred elsewhere for arbitration. Decision is made by majority vote. The Chair will have the casting vote.
- Select projects for approval following appraisal, based on considerations as to their financial viability, identified need, clear targets and outcomes, sustainability, innovation, additionality and displacement, project management and delivery and risk assessment.
- Make recommendations to the accountable body on project applications and sanction the release of grant offer letters.
- Follow the guidance set out in the Conflict of Interest Policy and Code of Conduct.
- Take into account LDS targets, budget management and funding allocations when selecting projects for final approval.
- Make final decisions about grant intervention rates and whether match funding should be increased for specific projects.
- Decisions at the Panels, including grant amounts and rates, will be recorded on the appropriate form and signed off by the DMP Chair once all DMP members have approved the written record as satisfactory.

LAG Membership

1. The LAG will comprise members of the public, private, community and voluntary sectors, ensuring that it represents a broad range of interests across the area. Membership should reflect both the area's geographical extent and its sectoral composition.
2. Members must live or work in the area of benefit. Organisations working across the area but located outside it may join the LAG as 'advisors' but cannot sit on a Decision Making Panel or have voting rights.
3. There must be more than 50% representation from the private/voluntary sector on the LAG, and on any Decision Making Panel, and no single interest group or business sector shall exceed 50% of the LAG or any Decision Making Panel.
4. The number of voting members shall not exceed 35
5. Expertise in the following areas should be represented by at least 1 member:

- Business
- Tourism
- Land based industries
- Food and Drink
- Environment
- Renewable Energy
- Community
- Voluntary Sector
- Skills/Training
- ICT
- Creative Industries

6. The LAG will include voting representatives from at least 6 core public partners and the Accountable Body:-
 - Hart District Council
 - Basingstoke and Deane Borough Council
 - Test Valley Borough Council
 - West Berkshire Council
 - Wokingham Borough Council
 - Hampshire County Council
7. Members must identify whether they represent themselves, as individuals, or are representing an organisation. If representing an organisation, they may nominate one named substitute who may vote on their behalf.
8. The LAG shall elect a Chairperson and Vice Chair at its first meeting. The Chairperson must preferably be from the private/community sector.
9. The Chairperson and Vice Chair will be appointed annually. The process of election will be as follows: All LAG members will be asked to put their names forward by the Programme Manager for one of the two roles, if they wish to apply. LAG members will then be asked to cast a vote in favour of their preferred candidate for each role (this will be undertaken electronically). The member with the maximum amount of votes will be elected as Chair or Vice Chair. If there are no members wishing to take on the role and the current Chair/Vice Chair are willing to continue, this will happen by default.
10. Recruitment to the LAG will be primarily by open advertisement via the LAG website. Co-option of members is permitted to achieve geographical, sectoral or demographic balance in the membership.
11. The membership of the LAG is seen to be a continually evolving body. LAG members do not have a maximum period of membership, but non-attendance for more than 3 consecutive meetings may result in loss of a place on the LAG, at the discretion of the Chairperson. Therefore there is no specified term of office, members can continue indefinitely if they wish to do so and continue to represent the LAG at meetings and via Decision Making Panels.
12. Members engaged in activity related to their position on the LAG must comport themselves appropriately and respectfully in relation to other LAG members, programme staff, applicants and members of the public. Inappropriate behaviour may result in exclusion from

the LAG at the discretion of the Chairperson. All members will be required to sign the Code of Conduct at the beginning of their term.

13. Relevant training and background information related to responsibilities associated with Local Action Group membership will be made available to any members requiring this.

Working Arrangements

1. The administrative arrangements for LAG meetings will be undertaken by the programme staff team from the Accountable Body
2. The programme staff will circulate the agenda and papers before each meeting and will record decisions and issue minutes for approval at the next LAG meeting. LAG members will take the minutes in rotation and provide these to the Programme Manager for approval before circulation to the LAG membership.
3. The Programme Manager will attend LAG meetings to provide information. Information for meetings should be sufficiently detailed to allow informed decisions to be made. Information should include:
 - Details of enquiries and current projects submitted either at Outline or Full application stage
 - Quarterly financial statements on overall spend on all projects and core cost spend
 - Quarterly statement on achievement of outputs, outcomes, targets, milestones
 - Notification of significant gaps in achievement of objectives, spend or outputs
 - Notification of significant problems on funded projects if applicable
4. Late business may be introduced by tabling papers with the approval of the staff team in conjunction with the Chair or Vice Chair of the LAG.
5. Panel members who are directly involved or have a direct interest in any application submitted will declare an interest and take no part in the consideration of the application unless invited by the Chairperson to respond to questions pertaining to the application. If Panel members represent an organisation which has an involvement in an application, but that organisation will not receive any financial benefit, representatives should declare an interest but can participate fully in the consideration (see also Conflict of Interest Policy and Code of Conduct).

Meetings

1. LAG meetings will be held every 8 to 12 weeks, unless cancelled by the staff team by giving 7 days notice (unless in the event of adverse weather conditions).
2. Once the programme has launched, a calendar of LAG meetings will be agreed each year for the next 12 months.
3. LAG Meetings will be rotated around the whole area and members will be encouraged to visit actual or proposed projects
4. Decision Making Panel meetings will be held quarterly and agreed annually. Members will be selected 8 weeks prior to the date of the meeting.

5. Decisions at DMPs will be by a majority vote. The Chairperson elected for the DMP will have the casting vote.
6. Members will be encouraged to car share and use sustainable transport to attend meetings.

Decisions and Reporting

1. Views and decisions of the LAG at LAG meetings will be recorded by the minute taker. At DMPs, discussions and decisions will be recorded by the staff team and signed by the Chairperson following the meeting and agreement by all present.
2. Decision notice and offers of grant will be made by the Accountable Body, which will, where appropriate, have the ability to refer a matter, or elements thereof, back to the LAG DMP for further consideration.
3. Information on successful grant awards will be reported through the LAGs website as case studies.

Appeals Procedures

Any applicant who has a concern about the way in which their application has been handled should write in the first instance to: David Fletcher, Assistant Director of Economic Development, of the Accountable Body, who will notify the complainant of any action that he proposes to take in relation to the appeal within 10 working days.

Variance to Terms of Reference

The Terms of Reference for the LAG will be reviewed annually by the Accountable Body and the LAG, and they may vary or add to these Terms of Reference by agreement with the RPA.

Signed:

Name:

Date:

Position: Chairperson

On behalf of the Loddon and Test Local Action Group

Signed:

Name:

Date:

Position:

On behalf of Hampshire County Council (the Accountable Body)

