

# Fens Adventurers Rural Development Programme

*Funded through the Rural Development Programme for England & Local Partners*

<b>Paper Title:</b> Terms of Reference (DRAFT)	
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## Background

This document outlines the rules of governance for the Fens Adventurers Local Action Group and its constituent groups.

- The Fens Adventurers Local Action Group (LAG) has been formed to act as the partnership mechanism to deliver selected measures from Axis 1,3 & 4 of the Rural Development Programme for England (RDPE) through a LEADER approach.
  - The Local Development Strategy (LDS) 2008-13 establishes the strategic direction for the LAG and identifies the main priorities and potential funding mechanisms.
  - Cambridgeshire County Council will act as the “Accountable Body” responsible for administering and auditing the Fens Adventurers Rural Development Programme (FARDP) on behalf of the LAG. Cambridgeshire County Council has devolved responsibility for administering the programme to Cambridgeshire ACRE.
  - The LAG will oversee the administration and monitoring of the FARDP within the agreed area.
  - A range of bodies will be formed from within the membership of the LAG to assist the partnership in fulfilling its responsibilities. These include two executive bodies, the LAG & the LAG Steering Group (LSG) and 4 Thematic Groups, with responsibility for the following LDS priorities:
    - Sustainable food & farming
    - Rural business development
    - Sustainable rural tourism
    - Enterprising communities
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- (For more information on where the groups fit within the FARDP please see Annex 1: Fens Adventurers Organisation Chart)
- These terms of reference shall be open to review at any time. Any proposed variation shall require the agreement of the LAG in accordance with the voting procedures outlined below.

The key role of the LAG will be to provide strategic direction through the development and annual review of the LDS. This executive body will comprise of all members of the Local Action Group, including the Chairman, representatives from the Accountable Body and the LAG Administration Team. The responsibility of the group will be to:

- Guide and monitor the implementation of the LDS within the FARDP area.
- To have a strategic overview of the functioning of the Fens Adventurers Rural Development Programme (FARDP) and make recommendations on the implementation of the strategy (or any changes to it).
- To oversee changes to the LDS and their inclusion in the 3 Year rolling Delivery Plan & oversee the preparation of the required quarterly progress reports for the Department of Environment, Farming and Rural Affairs (Defra).
- Receive and scrutinise Monitoring Reports from the administration team and make recommendations if areas of concern have arisen.
- Monitor the LAG budget and oversee expenditure making recommendations for virement between measures or other appropriate changes to the LDS.
- Monitor and evaluate the LDS strategic outputs to ensure the programme remains on track to meet the agreed targets.
- To publicise the FARDP within the area and encourage the development of collaborative and innovative projects.
- To elect, annually, a Chair who will also provide leadership to the LAG.

### **Membership requirements**

(Election/Retirement Procedures)

- Parties interested in becoming a LAG member should firstly contact the Fens Adventurers Programme Team for information on LAG membership. Interested parties will be given the Terms of Reference for the LAG which outlines the roles and responsibilities of LAG membership. Interested parties will need to demonstrate to the programme team that they meet the criteria for membership as outlined in Annex 1: LAG Member Job Description.
- If the above criterion has been demonstrated interested parties will receive an invite to attend the next available LAG meeting.
- Subject to their being no substantive objections from other LAG members, the interested party will be invited to join the LAG at this meeting and this decision will be recorded in the minutes of the meeting.
- Newly elected members will be invited to take their position from the point of acceptance.
- Changes to the membership will not be permitted if they result in the total number of partners representing the public sector accounting for more than 50% of the total number of members on the LAG.
- Members wishing to retire from the LAG should give timely notice to either the LAG Chairperson or the LAG administration team.

(Code of Conduct)

- Any LAG member failing to attend or provide a substitute to attend in their absence for 3 consecutive meetings will be deemed to have retired, unless the members provide a satisfactory reason for non attendance to the LAG administration team.
- Membership of the LAG may involve members gaining access to sensitive business information. Members should not disclose confidential information obtained during LAG meetings or conversations with other members or the LAG

Administration Team to any person or organisation unless they have the prior consent of all of the other members and the organisation in question.

- LAG members are permitted to have an interest in FARDP supported projects, this could include managing FARDP supported projects. In light of this, members are required to declare any pecuniary or personal interest in matters being discussed. A conflict of register of interest will be recorded in the minutes at each meeting and members may be asked to vacate the meeting room during any discussions where they have declared an interest.
- LAG members could be suspended from membership, if they have an interest in FARDP supported projects that are under investigation for suspected irregularities. Decisions on suspension and reinstatement of members will be at the discretion of the remaining LAG members and the Accountable body, Cambridgeshire County Council.

### **LAG Chairperson**

- LAG members must elect or re-elect a Chairperson annually.
- Nominations for the Chairperson role will require a formal proposer and a seconder to submit details of the nominee to a LAG meeting.
- Nominees for this role must demonstrate that they have the required skills for this position as outlined in Annex 1: LAG Chairperson Job Description
- The LAG will take a vote on all nominees and record the result in the minutes.
- The nominee receiving the most votes will be elected as chairperson & will be invited to take their position from the point of election.

### **Meeting/Operating Requirements**

- The group will meet quarterly, or more frequently depending upon the needs of the programme.
- Wherever possible, meetings will be held at a venue within or close to the Fens Adventurers LDS area.
- Meetings will normally be closed to the public, however the LAG may choose to hold public sessions when appropriate.
- Agendas & relevant papers will be circulated to members at least one week before each meeting, whenever possible.
- Minutes will be kept to record all decisions made by the LAG.
- Dissolution of the LAG can only be made by agreement of the LAG itself.

### **Decision Making**

- The LAG will only be quorate when 6 members are present and over 50% of those present represent private sector interests.
- All decisions made by the group will only be valid if at least 50% of those voting come from the private sector.
- Meetings that are not quorate will still proceed. Decisions made at the meeting will only be ratified when the required number of members representing private sector interests agrees to endorse any decisions made in writing. Should 'written procedures' be required members will be asked to make a formal response within the time specified by the LAG Administrator. Responses received after this deadline may not be counted.
- The LAG will seek to reach agreement on recommendation by discussion and consensus. When a formal vote is required each member (or substitute) shall be entitled to one vote and decisions will be made on the basis of a simple majority.
- The LAG chair person will have the casting vote if there is a split decision.

Members who fail to comply with these stated terms of reference could be suspended or expelled from the LAG. The expulsion of any member will require the majority decision of the remaining members or can be at the discretion of the Accountable body, Cambridgeshire County Council.

### **LAG Steering Group (LSG) Terms of Reference**

The key role of the LSG will be to deliver the LDS on behalf of the partnership through supporting and monitoring appropriate projects to deliver the LDS. The LSG will comprise of 7 members of the LAG & a representative from the Regional Secretariat. LSG members will represent all 4 priorities of the LDS & the composition of its membership should ideally represent the following:

1. Local government at County Level
2. Local government at District Level
3. Environmental interests
4. Farming interests
5. Small business interests
6. Tourism interests
7. Community interests
8. Defra representative (Defra requirement)

The role of the LSG will be to:

- To receive project ideas, concepts & business plans once they have been developed by the appropriate Thematic Group & LAG Administration Team and formally appraised by a Defra nominated appraiser.
- To ensure clear separation of role with respect to the development and approval of project applications.
- To approve or reject a project idea, concept & business plan and provide feedback on the decision to the LAG, Administration Team, Thematic Groups and Project Applicant.
- Receive and scrutinise Project Monitoring & Evaluation Reports from the administration team and make recommendations if areas of concern have arisen.
- Through the scrutiny of information and updates, ensure that projects are on track and meeting targets. Members will empower the LAG Administration Team to take appropriate action with project operators when it is deemed the project is at risk of failing its agreed objectives.
- All members are required to declare any pecuniary or personal interest in matters being discussed. A conflict of register of interest will be recorded in the minutes at each meeting and members may be asked to vacate the meeting room during any discussions where they have declared an interest.

### **Membership Requirements**

(Election/Retirement Procedures)

- The LAG will decide which members sit on the LSG through an annual election/re-election process. Nominations for new members will require a formal proposer and a seconder to submit details of the nominee to a LAG meeting. Nominees should demonstrate that they meet the standards outlined in Annex 1 – LSG Member Job Description. In the event of a contested election, i.e. more than 7 nominees the LAG

will take a vote on all nominees and record the result in the minutes. Nominees receiving the most votes will be elected onto the LSG & will be invited to take their position from the point of election.

- Changes to LSG membership will not be permitted if they result in the total number of partners representing the public sector accounting for more than 50% of the total number of members on the LSG.
- All members elected to the LSG will be required to identify a substitute from within their organisation or field of interest within the LAG. These well informed and empowered substitutes will be required to attend LSG meetings in the absence of the elected member.
- Any member wishing to retire from the LSG will need to give notice to either the LAG Chairperson or the LAG administration team.

(Code of Conduct)

- LSG members will be subject to the same codes of conduct outlined above for LAG members.

#### **LSG Chairperson**

- LSG members must elect or re-elect a Chairperson annually.
- Nominations for the Chairperson role will require a formal proposer and a seconder to submit details of the nominee to a LAG meeting.
- In the case of a contested election, the nominee receiving the most votes will be elected as chairperson & will be invited to take their position from the point of election.
- The LSG will take a vote on all nominees and record the result in the minutes.

#### **Meetings/Operational Requirements**

- The LSG will meet quarterly, or more/less frequently depending upon matters arising.
- The LSG will only be quorate when 4 members are present & over 50% of those present represent private sector interests. Meetings that are not quorate will still proceed and will be subject to the decision making procedures outlined below.
- Wherever possible, meetings will be held at a venue within or close to the Fens Adventurers LDS area.
- Meetings will be closed to the public.
- Agendas & relevant papers will be circulated to members at least one week before each meeting, whenever possible.
- Minutes will be kept to record all decisions made by the LSG.
- Dissolution of the LSG can only be made by agreement of the LAG.

#### **Decision Making**

- All decisions made by the group will only be valid if at least 50% of those voting come from the private sector.
- Meetings that are not quorate will still proceed. Decisions made at the meeting will only be ratified when the required number of members representing private sector interests agrees to endorse any decisions made in writing. Should 'written procedures' be required members will be asked to make a formal response within the time specified by the LAG Administrator. Responses received after this deadline may not be counted.
- The LSG will seek to reach agreement on recommendation by discussion and consensus. When a formal vote is required each member or substitute shall be entitled to one vote and decisions will be made on the basis of a simple majority.
- Consideration & approval of project ideas, concepts & business cases will follow the procedures set out within the programmes operations manual.
- The LSG Chairperson will have the casting vote if there is a split decision.

#### **Grant Variances (as of April 2010)**

In order to address the frequent variances of project and therefore grant costs which occur after project approval by the LSG, the Programme Team will have the discretion to

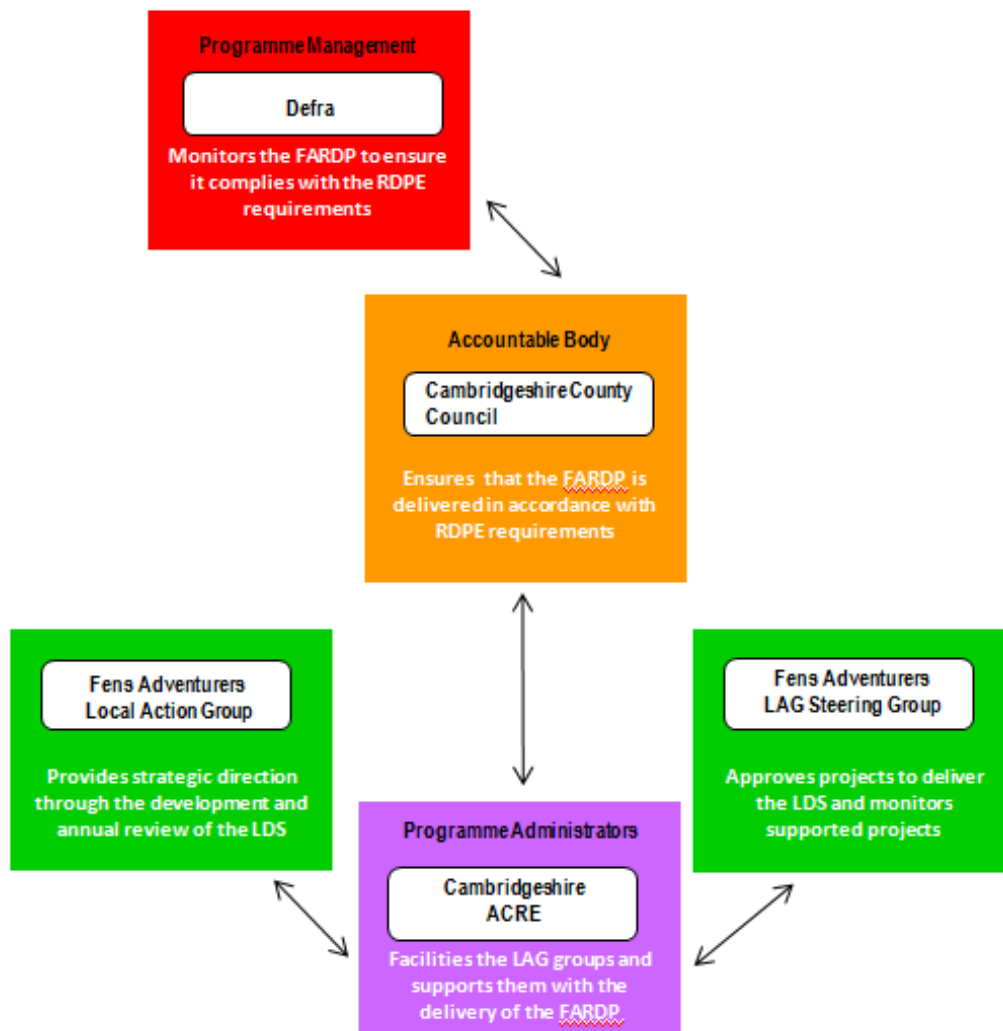
agree a 10% variance of grant amount with the applicant without consulting with LSG Members.

If the 10% is equal to or more than £10,000 then approval from the LSG must be sought before agreement with the applicant is reached. All variances, including those less than 10%, must be signed off by the LSG Chair.

All variances will be reported to the LSG Members at the next meeting.

Members who fail to comply with these terms of reference could be expelled from the LAG. The expulsion of any member will require a substantive majority of the remaining members or can be at the discretion of the Accountable body, Cambridgeshire County Council.

### Fens Adventures Organogram



## LAG Member Job Description

**Term of office:** LAG members are permitted to serve until the end of the FARDP in December 2013 or until the LAG itself has been dissolved.

**Role overview:** The key role of LAG members will be to provide strategic direction through the development and subsequent annual review of the LDS

**Duties:** In addition to the commitments & responsibilities required for LAG membership outlined in the Terms of Reference, the LAG members will need to have the following attributes and skills:

### PERSONAL ATTRIBUTES FOR A LAG MEMBER

- Commitment to the LAG and its objectives as outlined in the LDS
- Willingness to devote the necessary time and effort, at least 4 meetings per year
- Integrity and good interpersonal skills
- Ability to think creatively and with vision
- Ability to work effectively as a team member with a shared sense of purpose
- Willingness to learn and be informed of both the activities of the LAG and the context in which it operates
- Understanding and acceptance of the legal duties, responsibilities and liabilities of LAG membership

### SKILLS & EXPERTISE FOR LAG MEMBERSHIP

To have a competent and effective Local Action Group our members should collectively possess the following skills, experience and expertise:

- Local knowledge, experience, expertise & any relevant qualifications within your field of work that relate to the 4 LDS priorities.
- An understanding of the Fens Adventurers LDS & its priorities
- Understanding of the language and structures of the LAG & experience of partnership working.
- An understanding of RDPE both the locally, regionally & nationally
- To be an active ambassadors for the programme through networking and marketing the programme to appropriate individuals and businesses.

Please note members are **NOT** expected to possess all of these attributes/skills individually.

## LSG Member Job Description

**Term of office:** LSG members are appointed by the Local Action Group. Members are recruited from within the LAG membership and will serve for one year, or more

**Role overview:** The key role of the LSG members will be to deliver the LDS on behalf of the partnership through supporting and monitoring appropriate projects to deliver the LDS.

**Duties:** In addition to the commitments & responsibilities required for LAG & LSG membership outlined above & in the Terms of Reference, the LSG members will need to have the following attributes and skills:

### PERSONAL ATTRIBUTES FOR AN LSG MEMBER

LSG members will have the same personal attributes required for LAG membership with the following additions:

- Ability to think analytically, remained detached and make good impartial judgments.
- Ability to work effectively as a team member with a shared sense of purpose
- Understanding and acceptance of the responsibilities and liabilities of LSG membership

### SKILLS & EXPERTISE FOR LSG MEMBERSHIP

LSG members should collectively have the same skills and expertise required for LAG membership with the following additions:

- Understanding of and experience in project development, management and financing.
- Understanding of project selection procedures and experience in project selection.
- Understanding and experience in monitoring & evaluation.
- Knowledge of the LEADER method & other EU structural funds legislation.
- An understanding of the whole programme and how projects fit in, including trans-national link

Please note LSG members are **NOT** expected to possess all these attributes/skills individually. Support will be provided.

## LAG Chairperson Job Description

**Term of office:** The LAG Chairperson is appointed by the Local Action Group. The candidate is recruited from within the LAG membership and will serve for one year or more.

**Role overview:** The Chairperson is responsible for ensuring that the LAG as a whole is enabled to play a full and constructive part in the development and determination of the LDS and its overall objectives.

**Duties:** In addition to the commitments & responsibilities of being a LAG member, the Chairperson will need to fulfil the following functions and responsibilities:

- Chair LAG meetings and be the guardian of the LAG's decision-making process (Chairperson will have the responsibility for casting the deciding vote when a split decision occurs).
- Maintain a close working relationship with the LAG Administration team, particularly prior to meetings, to ensure that action points and follow up recommendations have been or are being dealt with.
- Ensure that the requirements for membership, meetings and decision making outlined in the Terms of Reference for the LAG are being adhered to.
- To represent and promote the Fens Adventurers to a wide range of stakeholders & be the key public relations person for the LAG.
- Represent the Fens Adventurers externally, on any local, regional, national or transnational meetings.
- Ensure that all constituents of the LAG, i.e. LSG & Thematic Groups complete their assigned tasks satisfactorily.

#### **PERSONAL ATTRIBUTES & COMPETENCIES FOR A LAG CHAIRPERSON**

The LAG Chairperson will have the same personal attributes required for LAG membership with the following additions:

- Good Communicator, can speak clearly & confidently.
- A good listener who can effectively summarise the main points of a discussion and identify key action points or follow up recommendations.

#### **SKILLS & EXPERTISE FOR A LAG CHAIRPERSON**

The LAG Chairperson will have the same skills and expertise required for LAG membership with the following additions:

- Knowledgeable about the terms of reference for the LAG.
- Proven experience in managing/facilitating meetings including skills in managing group conflict, timekeeping and the ability to question.
- Experience and/or proven ability to fill a leadership role, which includes the ability to speak in public.
- Good motivational skills. The chairperson should arouse enthusiasm in the LAG for the mission, aims and objectives outlined in the Local Development Strategy.



*Fens Adventurers Rural Development Programme is an RDPE initiative, supported by DEFRA, Local Authorities & the EU's European Agricultural Fund for Rural Development: Europe investing in rural areas*