

**CONWY LOCAL ACTION GROUP BOARD
TERMS OF REFERENCE**

1. Activities and Main Tasks

- 1.1 The Conwy Local Action Group (LAG) is responsible for the overall governance and strategic direction of the LEADER element of the Rural Development Plan (RDP) 2014-2020 in rural Conwy, developing and delivering a Local Development Strategy (LDS) for this period.
- 1.2 The LAG will be responsible for overseeing the commissioning of projects to fulfil the aims of the LDS in accordance with guidelines set by the European Union and the Welsh Government
- 1.3 The LAG will review the Local Development Strategy on an annual basis
- 1.4 The LAG will be responsible for the evaluation of the 2014-2020 Leader Programme, which will include both a midterm and final evaluation.

2. Membership

- 2.1 The Conwy LAG will comprise of the Conwy Rural Forum (CRF), the LAG Board and Technical Advisory Groups.

3. Conwy Rural Forum

- 3.1 The CRF will be open to anyone living or working in rural Conwy and the group will meet twice a year, with one of those meetings being the Annual General Meeting of the LAG. The opportunity to join the Forum and the dates of meetings will be publicised through the local press and social media.
- 3.2 The primary function of the CRF is to elect the membership of the LAG's Board annually.
- 3.3 It will also be a key mechanism for promoting the LDS and the work of the LAG, passing on information about calls for projects and disseminating results of the LAG's activities to the wider rural population.

4. LAG Board

- 4.1 The Board of the Conwy LAG will be responsible for the overall governance and strategic direction of the RDP 2014-2020 in rural Conwy.
- 4.2 It will be the decision-making body in terms of project selection and fixing the amount of support provided to each project. It will also be responsible for the overall performance management of the programme.
- 4.3 The Board will be elected annually at the Annual General Meeting of the Conwy LAG so as to ensure all members have an opportunity to influence the process. This also ensures that membership is renewed and refreshed and the decision making process is not being dominated by an elite.
- 4.4 The public sector will represent a minority of the Board of the Conwy LAG with a minimum of 51% of the membership made up of the private and community sector (with a maximum of 49% therefore coming from the public sector). This will ensure that the emphasis is on business and community interests. However, no single group will control more than 49% of the voting rights, with a maximum of 8 members coming from a single interest group.
- 4.5 All members of the LAG Board will be nominated for their ability to present the wider viewpoint and to represent fully the views of the organisation and sector they represent. In accepting a place on the LAG, members will be expected to put the wider economic interests of the Local Action Group area before sectoral or other narrower interests, including self-interest.

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5. Board Membership

5.1 The Board will have 24 members and will be constituted as follows:

Public Sector – 9

- 1 Snowdonia National Park Authority
- 1 Grŵp Llandrillo Menai
- 1 Natural Resources Wales
- 1 Rural Housing Enabler
- 1 Job Centre Wales
- 4 Conwy County Borough Council representatives (including a representative from the Poverty Board)

Private and third sector – 15

- 2 Farming Union Representatives (NFU & FUW)
- 1 National Trust
- 1 Young Farmers Club
- 1 Conwy Voluntary Services Council
- 2 agricultural interest representatives
- 2 local business/tourism
- 2 community/ voluntary sector representatives
- 2 environmental interest representative
- 2 heritage/cultural interest representative

5.2 In order to ensure fair geographic spread, efforts will be made to ensure that no more than 3 representatives come from the same ward.

5.3 The Board will:

- 5.3.1 Ensure the Administrative Body, procured delivery bodies and its own representative's function within the legal and regulatory framework set out by the Welsh Government.
- 5.3.2 Develop, review and implement the LDS
- 5.3.3 Develop a non-discriminatory and transparent selection matrix for use when selecting operations and fixing the amount of support offered to projects ensuring coherence with the LDS, which avoids conflicts of interest, ensures that at least 50% of the votes in selection decisions are cast by partners which are not public authorities, allow selection by written procedure and offers an appeals process see Annex B.
- 5.3.4 Use the written project selection criteria when considering proposals, avoiding conflicts of interest.
- 5.3.5 Decide upon priorities for applications to other grant programmes outside of LEADER funding
- 5.3.6 Promote, develop and oversee the delivery of projects under this LDS
- 5.3.7 Develop and oversee co-operational projects
- 5.3.8 Keep a financial overview of the implementation of the programme
- 5.3.9 Promote the programme and its work
- 5.3.10 Meet at least once per quarter
- 5.3.11 Elect a chairperson and vice chair annually
- 5.3.12 Undertake relevant and necessary training which will help to build the capacity of local actors to develop and implement operations including fostering their project management capabilities

5.4 The Board will have a quorum of 8, with the limits of at least 51% from private and third sector and maximum of 49% from a single interest group being enforced at all meetings. The potential for the chairperson's vote to count double in the event that it is the casting vote must also be accounted for in calculating this percentage.

5.5 Attendance at meetings will be monitored and any member who fails to attend three consecutive meetings without apology and reasonable reason given will have their place on the Board reviewed. Seats vacated by members of the Board will be filled by nomination and election from the Conwy Rural Forum.

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5.6 Meetings will be minuted and those minutes will be published on the LAG's website.

5.7 In order for members to conduct their responsibilities and duties effectively and efficiently it is important to have a set of guiding principles. The guiding principles are set out in Annex A - Code of Conduct.

5.8 Membership of the LAG shall cease upon:

5.8.1 The dissolution or winding up of any organisation which is represented on the LAG;

5.8.2 Written resignation from an individual member or the organisation which the member represents.

5.9 The LAG board shall have power to terminate the membership of any individual or organisation for good cause provided that the individual or organisation concerned shall have the right to be heard by a full meeting of the LAG before a final decision is made.

6. Thematic Groups

6.1 Thematic Groups will be established in line with the available themes under the LEADER 2014-2020 programme, being:

- Adding value to local identity and natural and cultural resources.
- Facilitating pre-commercial development, business partnerships and short supply chains
- Exploring new ways of providing non-statutory local services
- Renewable energy at community level
- Exploitation of digital technology

6.2 These groups will be populated from the membership of the Conwy LAG and meetings will be called more often than a typical LAG meeting. The groups will comment on project ideas and applications and make recommendations to the full LAG.

7. Technical Advisory Groups

7.1 It is envisaged that a number of sector-specific Technical Advisory Groups will be established to draw on specific expertise and knowledge of key areas / objectives. These will provide feedback to develop prospective projects to ensure projects are fully developed when submitted to the LAG Board. These groups will primarily be populated from the membership of the Conwy Rural Forum but may also include outside expertise.

8. Periodic Calls for Proposals

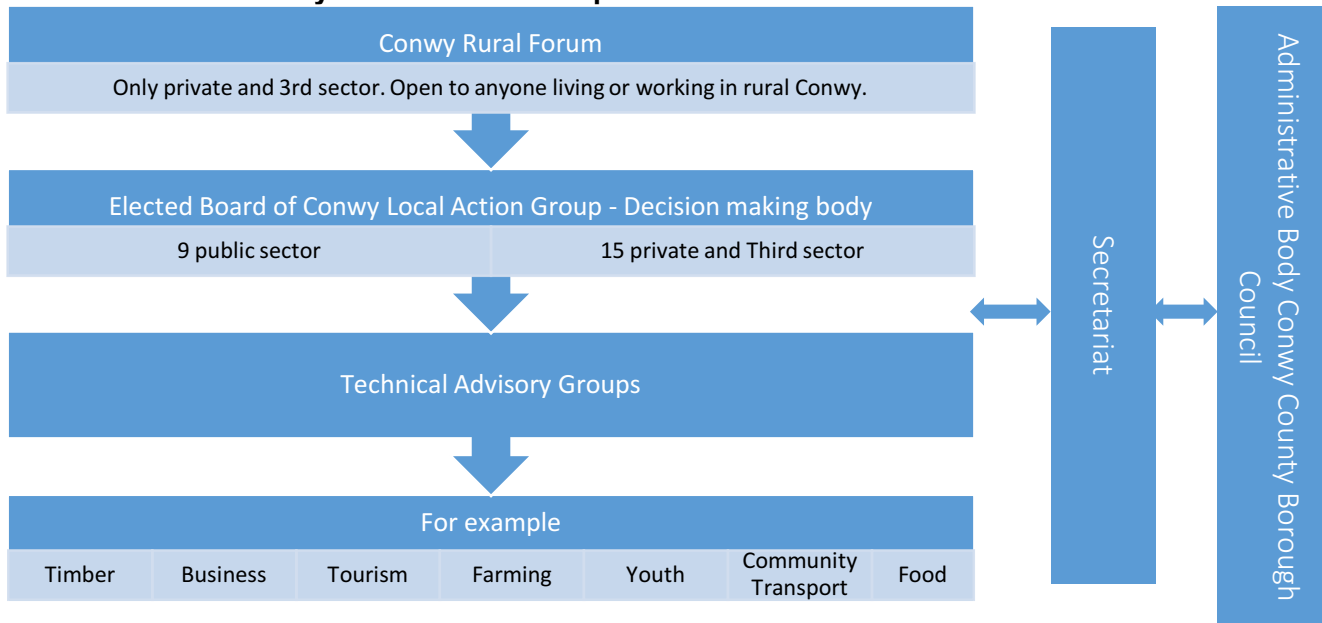
8.1 The LAG will periodically publish calls for proposals for projects in which the criteria for each call will be defined. The proposals received will be added to the proposals developed by the LAG internally and referred to one of the technical groups before proceeding to the Conwy LAG Board for assessment and scoring.

8.2 This assessment process will be open and transparent with all scoring criteria published and accessible. The results will be published on the LAG's website to enable public scrutiny of the results and there will be an official appeals procedure that unsuccessful projects may use to appeal any decisions.

8.3 Project delivery will be commissioned by the LAG via a tender process or delivered by the LEADER project officers. There will be no direct grant support available to third parties.

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Structure of the Conwy Local Action Group



9. Administrative Body

9.1 Conwy County Borough Council (CCBC) will be the Administrative Body for the programme and, as such, undertakes to ensure that the programme will be delivered effectively and with full compliance. The administrative body or secretariat will be the Rural Development Team within the Community Development Service of CCBC.

These will be supported by two project officers to deliver the LEADER programme, with thematic focus.

9.2 The role of the Rural Development team will be:

- 9.2.1 Providing the secretariat function to both the wider LAG and the Board, including agenda setting and minutes.
- 9.2.2 Receiving all project application forms
- 9.2.3 Carrying out eligibility checks and appraisals for all applications
- 9.2.4 Producing and issuing offer letters to successful applicants and ensure that all applicants understand reporting, claims and publicity conditions
- 9.2.5 Receiving and processing claims ensuring all audit requirements are met
- 9.2.6 Maintaining the management information system for the Programme, providing quarterly management reports to the Board of the LAG

10. Conflicts of Interest

10.1 A Register of Interests will be kept for Administrative Body staff and LAG members; this will be regularly reviewed and updated.

10.2 Potential conflicts of interest must be declared by everyone in the Register before the project's processing begins. Once any declaration has been made, the person/s should take no part in the decision making, project approval process or subsequent monitoring.

10.3 No LAG member or employee with a declared interest in a project can participate in the decision making process or vote or score during the approval process; nor should they be involved in any claim or payment processing or inspection processes. Members or employees with an interest must leave the room during discussion on projects subject to appraisal. The Minutes and other relevant documents should record the action taken to ensure this happens.

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10.4 Where the LAG Chair is an employee or representative of an organisation (either council or voluntary body) that is an applicant, the vice chair must lead the discussion, scoring and voting. The Chair should leave the room and must not take part in the discussion, vote or score. The Minutes and other relevant documents should record the action taken to ensure this happens.

10.5 Where it becomes obvious - post-event - that there has been a conflict, the Rural Development Team should be informed in writing within three working days.

11. Confidentiality

11.1 Conwy LAG members recognise that ideas and projects submitted to them are completely confidential and will not use the information gained to further their own or their organisations' interests without the prior permission of the originator.

12. Assets

12.1 All LAG assets are held in the ownership of Conwy County Borough Council on behalf of the LAG. At the end of the project's lifetime the LAG shall decide on the disposal of any assets in accordance with Conwy County Borough Council's asset disposal policy and any applicable Welsh Government guidance.

13. Exit Strategy

13.1 As the project enters the close down phase the need to establish an exit strategy to draw the process to an end will become essential. It will be the duty of the LAG to formulate that strategy, considering the social and economic climate at that time, other local and national initiatives and the potential for further and alternative European funding. There are several possible exit scenarios that can be envisaged at that time and the LAG will consider the appropriate strategy with the aim of ensuring the most positive outcome for the rural area.

14. Appeals & Complaints

14.1 Annex B sets out for the process to be followed regarding complaints or appeals from members of the public or applicants.

Conwy Local Action Group (LAG) Board - Code of Conduct

Section 5 of the 'Terms of Reference for the Conwy Local Action Group (LAG) concerns the responsibilities of the LAG. Section 5.7 refers to this Annex for further clarification on how the LAG and its members conduct their responsibilities and duties effectively and efficiently.

The following organisations have a designated seat on the LAG:

Public

- Snowdonia National Park Authority
- Grŵp Llandrillo Menai
- Natural Resources Wales
- Job Centre Wales
- Rural Housing Enabler
- CBSC / CCBC * 4 Seats

Private and third sector

- Farmers Union of Wales
- National Farmers Union
- National Trust
- Young Farmers Club
- Community & Voluntary Support

All other LAG members have been elected **to represent the following sectors:**

- Agriculture (2 members)
- Business (2 members)
- Community / Voluntary (2 members)
- Environmental (2 members)
- Heritage / Cultural (2 members)

In order for members to conduct their responsibilities and duties effectively and efficiently it is important to have a set of guiding principles.

Members should:

- ensure that their actions reflect the considered, best interests of the LAG and the population of Rural Conwy
- on appointment, attend mandatory and other training provided by the Administrative Body
- familiarise themselves with work of the LAG and keep this knowledge up to date
- focus their contribution to the LAG decisions upon what is in the best interests of the population of Rural Conwy
- be aware that all members are equal and respect others' views and behave accordingly in dealings with other LAG members
- be open, honest, objective, fair, impartial and non-discriminatory and prepared to confront the personal prejudices that may hinder informed decision-making including conflicts of interest.

Declaration of Interest

All LAG members have a responsibility to treat all applicants equally and impartially and must therefore declare whether they, or their organisation, have either a direct or indirect interest in any of the projects to be considered by the LAG. For these purposes, 'interest' is defined as:

- i. The LAG member, or their organisation, acting as the project sponsor, or applicant.
- ii. Any project which results in the LAG member, or their organisation, being a direct or in-direct beneficiary from that project.

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Where the above interests are declared, the LAG member may take no part in the discussions of the relevant projects, and may be asked to withdraw from the meeting whilst discussions are taking place.

Where a LAG member, or their organisation, is providing match funding for a project, this fact must also be declared. The Chairman, after taking the views of other members of the LAG, will decide whether the member concerned may take part in the discussion of the project.

All members of the LAG Board should be nominated for their ability to present the wider viewpoint and to represent fully the views of the organisation and sector they represent. In accepting a place on the LAG, members will be expected to put the wider economic interests of the LAG area before sectoral or other narrower interests, including self-interest. A LAG member shall therefore not use their position as such, directly or indirectly, for personal gain or political purposes.

As a LAG member you will have access to all parts of an application which may contain details which may be considered confidential. Whilst full discussion between LAG members is encouraged, any discussion must be related to the task and in no circumstances should details of the application or the discussion associated with it be revealed to a third party.

Information gained as a member of the LAG, should not be used for personal or business gain.

Attendance at meetings will be monitored and any member who fails to attend three consecutive meetings without apology and reasonable reason given will have their place on the Board reviewed.

Membership of the LAG shall cease upon:

- a) the dissolution or winding up of any organisation which is represented on the LAG;
- b) Written resignation from an individual member or the organisation which the member represents.

The LAG shall have power to terminate the membership of any individual or organisation for good cause provided that the individual or organisation concerned shall have the right to be heard by a full meeting of the LAG before a final decision is made.

Conwy Local Action Group - Appeals & Complaints Process

Section 13 of the 'Terms of Reference for the Conwy Local Action Group (LAG) refers to this Annex for further clarification on how the LAG and its members will provide an appeals process regarding the outcome of the project selection process.

How to make an appeal

If you wish to appeal a decision made by the LAG in relation to your application, you may only appeal if you believe the procedures set out in the relevant Call for Proposals or the LEADER funding guidance have not been followed.

What is an appeal?

An appeal is defined as a request for a review of a decision taken by the Conwy LAG that you feel has not followed procedures on the scoring criteria and/or feedback of an unsuccessful application. To provide the means of redress, there is an appeals procedure for LEADER applicants and beneficiaries where you are required to state the exact procedure(s) not followed.

When is an appeal actually a complaint?

If an appeal documents non-specific evidence or notes dissatisfaction with the outcome of an application, this will be treated as a complaint, not as an appeal, and will be processed accordingly.

Who can appeal?

Applicants

For LEADER applicants (the person or organisation/institution submitting an application to the Conwy LAG), appeals may be considered where, for example, your application is unsuccessful. Please note the status of your application can only be changed in the event of an administrative error on our part or where published procedures have not been adhered to. Information that was not included in the original application form cannot be considered.

When to appeal

The application process will be in two stages. The first stage will be an Expression of Interest (EOI). Applicants that are successful at EOI stage will be invited to the second stage which is to submit a full application. You may only appeal once at the Expression of Interest stage and once again at Full application.

How to appeal

Appeals must be made in writing and sent in the post to Rural Development Plan, Conwy County Borough Council, Glasdir, Plas yn Dre, Llanrwst, LL26 0DF or emailed to conwylocalactiongroup@conwy.gov.uk within 10 working days of the date on which you received the written decision. Where a decision is sent by email, you will be deemed to have received it within 24 hours of it being sent; where a decision is sent by first class post, you will be deemed to have received it on the next working day. A working day is Monday – Friday except Bank Holidays. You should state within which particular procedure you believe has not been followed correctly and why there is dissatisfaction with the decision.

The LAG will then review the appeal letter/email and reconsider the original decision. Information that was not included in the original application form will not be taken into account.

The decision of the LAG will be final.

Receipt of your appeal will be acknowledged in writing within 3 working days of receipt. The appeal will be decided as soon as practicable and you will receive the decision in writing with reasons within 10 working days of the appeal being decided. Appeals that are more complex may take longer to deal with. In these cases you will be updated on the progress of your appeal.