**LOCAL ACTION GROUP (LAG): TERMS OF REFERENCE**

The overarching role of the Local Action Group (LAG) is to:

* *Agree the Folkestone CLLD Programme Strategy*.
* *Implement and deliver an effective Folkestone CLLD Programme.*

The LAG will oversee the Folkestone CLLD programme ensuring that the required outputs are delivered and that it meets the expectations of the local community, the Managing Authorities and ultimately the European Commission.

The Local Action Group is responsible for recommending an effective and robust process for project calls, selection and appraisal for the CLLD programme to the Accountable Body and this function will be delegated to CLLD Programme Staff or other suitably trained individuals involved in CLLD Programmes.

The Local Action Group will receive Programme Staff recommendations on project applications and will be responsible for making decisions and funding recommendations to the Accountable Body, ensuring that the projects selected for funding:

* Contribute to CLLD strategy objectives;
* Align with ESF and ERDF priorities;
* Represent good value for money in terms of the expectations of the programme; and
* Make a positive contribution to the ERDF or ESF cross cutting themes of gender, equality and non-discrimination and sustainable Development.

Regular financial reports on the progress of the programme and project output and activity reports will be presented by Programme Staff to the Local Action Group and it will make any required adjustments to the projects and programme in response.

The Local Action Group will also oversee and receive an evaluation of the strategy and programme of activity at the mid-point of the programme and at the end.

Although CLLD Programme Staff will be employed by the Accountable Body, the Local Action Group will be consulted over the terms of the appointments that are made.

The Local Action Group will also oversee the promotion of the programme and will make recommendations on this to the Accountable Body

The Local Action Group will ensure that the Folkestone CLLD Programme plays a full role in any national or regional network of CLLD Programmes established.

**Membership of the LAG**

The Local Action Group will be representative of the CLLD area’s private, public and third sector organisations and representative, as far as possible, in terms of age and gender.

In particular, attention will be paid to ensuring that:

* Public sector members or any single interest group will not have more than 49% of the voting rights during decision-making;
* At least 50% of members with project voting rights come from the non-public sector partners;
* There is a gender balance and have a fair representation of the population of the CLLD area as far as possible;
* At least 50% of votes in an individual selection decision are cast by non-public members; and
* LAG members have the necessary skills and experience to oversee the CLLD programme, including expertise on aspects such as sustainable development.

The LAG will comprise representatives from no more than 16 organisations, as it is the organisation, rather than the individual, that is generally considered to be the representative on the LAG. LAG members may send a substitute from their organisations to LAG meetings, or at the Chair’s discretion allow proxy voting by email to ensure meetings are quorate.

Individual LAG members have responsibility to adhere to the Code of Conduct and Declaration of Interest and will be excluded if these are not followed.

If a member or a nominated substitute from an organisation represented on the LAG fails to attend three or more consecutive LAG meetings, both the individual and organisation will be excluded.

It is recognised that membership of the LAG is liable to change over the course of the CLLD Programme. Any LAG member who does not wish to continue will advise Programme Staff in writing. Any new proposed LAG members (which can be through self or other nomination) will be considered by the Chair and require the agreement of a majority of existing LAG members.

LAG members are expected to perform an active role in the CLLD programme, working in the local community to identify and bring forward projects. Members will be expected to bring forward potential projects from their own organisation and to encourage other organisations to do so, where appropriate.

LAG members are expected to promote the CLLD programme through their own organisation’s channels of communication and to help signpost the local community to the support available to develop their ideas for CLLD projects.

LAG members are expected to encourage and foster innovation at the local level through encouraging new ways to tackle issues.

In making decisions about projects, LAG members are required to commit to undertaking the necessary work so that they have a sufficient understanding of a project.

LAG members are expected to make decisions in a consistent and impartial manner.

**Local Action Group Meetings**

The Local Action Group will meet every seven-eight weeks with dates agreed for the following calendar year every six months.

LAG members will be required to sign the attendance register at every meeting and the minutes of all LAG meetings shall be agreed at the next regular meeting and then signed by the Chair. Records of the minutes will be kept and made publically available on a website.

A Register of Interests will be kept for all LAG members, Programme Staff and other officers of the Accountable Body involved in any part of the Folkestone CLLD Programme.

LAG members with any direct financial, personal or organisational links to a project under discussion at a LAG meeting shall:

* Declare any Interest at the commencement of the meeting, which will be minuted.
* Take no part in the discussion nor in the decision about any such project, and leave the LAG meeting for the duration at the discretion of the Chair.

The Folkestone CLLD Programme Staff appointed by the Accountable Body to manage the programme are expected to attend LAG meetings as observers and will not be assigned any decision-making powers.

**Chair of the Local Action Group**

The role of the LAG Chair is to conduct Local Action Group meetings and act in the best interests of the LAG as a whole.

The process for electing a Chair of the LAG is as follows:

1. Nominations for the Chair will be sought from LAG members by email.

2. All LAG members will be asked by email to nominate their choice of LAG chair from the list of candidates by return email.

3. The candidate with the highest number of nominations will be selected as Chair.

The maximum term of office for the Chair will be two years. However, this term of office can be extended for a further two years with at least 75% of LAG members in support.

The Chair will have a second or casting vote in the case of an equality of vote in respect of any decisions taken.

The Chair will represent the LAG and will sign records, such and the minutes of meetings, and documents on behalf of LAG where necessary.

In the event of the Chair not being able to attend a meeting, or being compromised through a conflict of interest, a Deputy Chairwill be nominated from amongst the LAG members for that meeting. The Deputy Chair can be a public sector member in this instance, providing the casting vote does not result in the public sector having more than 49% of votes.

**Decision-making by the LAG**

For decisions to be made by the LAG, attendance of seven voting members[[1]](#footnote-1) of the LAG, including the Chair, is required to achieve a quorum.

Each member of the LAG will have one vote per member, except where an organisation is represented by more than one member; in this situation only one member can vote.

Decisions shall be determined by a simple majority of the number of votes of members present and only LAG members attending the meeting can vote, unless the Chair has agreed to accept email votes prior to the vote.

Once a project has been approved by the LAG, should a written request be made from the project to amend the project budget within 15% and up to a maximum of £5,000, authority to approve these adjustments is delegated to the CLLD Programme Staff. This flexibility enables the CLLD Programme Staff to respond to minor changes such as:

* changes in the cost of items caused by availability/change of supplier
* exchange items on the budget list as long they are within the ethos of the grant award

Should CLLD Programme Staff be unable to attend a LAG meeting for any reason, their comments on a project can be considered by the LAG through written procedure.

Any decisions made by the LAG will be recorded in the minutes of the meeting, although the full discussions about an individual project will be at the Chairs discretion.

Where urgent decisions are needed before the next LAG meeting (for example, where a project has been considered at a previous LAG meeting, but where further clarification is required from the project applicant), the Chair can call a special meeting of a sub group of the LAG to make the decision.

This sub group will comprise as a minimum the following:

* Chair;
* Accountable Body representative on the LAG;
* One other LAG member;
* One Programme Staff member.

Any decisions taken by the sub group shall be communicated to other Local Action Group members within 48 hours via email and formally reported to the next regular meeting of this body.

Feedback on decisions taken by the LAG will be conveyed to the project applicants by CLLD Programme Staff. While there will be no ability to appeal a decision, applicants can resubmit amended applications that take into account feedback from the LAG.

1. Where an organisation has more than one representative at a LAG meeting, this will only count as one voting member [↑](#footnote-ref-1)