



Aberdeenshire
European Fisheries Fund

Aberdeenshire European Fisheries Fund (AEFF)

Fisheries Local Action Group (FLAG)

Terms of Reference



The European Fisheries Fund
Investing in Sustainable Fisheries

Aberdeenshire
COUNCIL



The Scottish
Government

AEFF FISHERIES LOCAL ACTION GROUP TERMS OF REFERENCE

1 Name of Local Action Group

1.1 AEFF Fisheries Local Action Group (FLAG)

2 Objective

2.1 Under the Council Regulation No. 1198/2006 of the European Fisheries Fund 1698/2005, the Aberdeenshire Fisheries Local Action Group will administer the Aberdeenshire European Fisheries Fund (AEFF) in Aberdeenshire through delivery of the AEFF FLAG Strategy which was approved by Scottish Government in 2011.

3 Structure and Composition

3.1 The FLAG is a partnership of 14 member organisations reflecting the public, private and third sectors. Many member organisations are also represented in the Aberdeenshire Community Planning Partnership.

3.2 Aberdeenshire Council acts as Lead Partner for the Programme. A Service Level Agreement (SLA) between the Scottish Government and Aberdeenshire Council sets out the roles and responsibilities of the lead partner.

3.3 FLAG Chairman is Belinda Miller, Head of Service, Economic Development, Infrastructure Services, Aberdeenshire Council

3.4 FLAG member organisations include:

Aberdeenshire Community Councils

Aberdeenshire Council through:

Community Economic Development

Community Learning & Development

Community Planning

Finance

Aberdeenshire Council for Voluntary Services

North East of Scotland College

Banff Coast Tourism Partnership (BCTP)

East Grampian Coastal Partnership (EGCP)

Federation of Small Businesses

Peterhead and Fraserburgh Fish Processors Association (PFFPA)

Scottish Enterprise

Scottish Fishermen's Organisation (SFO)

Scottish Natural Heritage

Scottish Pelagic Fishermen's Association Ltd (SPFA)

Scottish Whitefish Producers Association (SWFPA)

Visit Scotland

FLAG Staff include: European Programmes Co-ordinator, European Programmes Claims Officer.

Both report to Team Manager – European Policy & Programmes.

4 Co-option

4.1 The FLAG may appoint organisations to add to or replace the above members.

5 Role of FLAG

5.1 The FLAG is responsible for implementation of the Aberdeenshire European Fisheries Fund Strategy.

5.2 The FLAG is also responsible for the overall management of the AEFf Strategy and associated local policy issues. Specifically it will:

- Invite and approve project applications in support of the strategy
- Review progress made towards achieving targets set in the business plan
- Set up and review monitoring and evaluation exercises
- Advise on communication and publicity strategies
- Advise on sources of match funding

5.3 The FLAG shall review and publicise the progress of the AEFf Programme through provision of an Annual Report, regular press releases and updating of the AEFf website.

6 Role of FLAG member representatives

6.1 The partners in the FLAG will provide overall guidance on set objectives, on funding levels and intensity.

6.2 The structure of the FLAG will ensure a balanced representation from public agencies, private, community and voluntary sectors, to promote a bottom up projects based on ideas of local people, encouraging community involvement, partnership and innovation through projects.

6.3 It is the responsibility of FLAG members to communicate with other organisations in the sector which they represent to disseminate information from AEFf.

6.4 There will be no nominated substitutes on the FLAG. Written comments submitted by members who are unable to attend will be accepted at the FLAG meeting.

7. AEFf Project Application Process

7.1 The AEFf project application process will be one tiered; only the final application form will be given to both the PAC and FLAG.

7.2 The AEFf Co-ordinator will ask all projects to submit an Expression of Interest and assess for eligibility. One this has been agreed projects will be invited to submit a full application.

8. AEFF Project Assessment Committee (PAC)

- 8.1 The AEFF Project Assessment Committee (PAC) is a sub group of the FLAG. Membership includes the lead partner, business & training, community, enterprise, environment and fisheries based interests. Each interest sector has a nominated representative and also a substitute to attend PAC meetings if the nominated representative is unavailable.

Lead Partner FLAG Chairperson – Belinda Miller

Business & Training – Linda Hope (North East Scotland College), Substitute Andy Willox (FSB)

Community – Ian Hay (EGCP), Substitute Roger Goodyear (BCTP)

Enterprise – Gina Ford (SE), Substitute Phillip Smith (VS)

Environment – Gavin Clark (SNH), Substitute Ian Hay (EGCP)

Fisheries – Jimmy Buchan (SFO), Substitute Mike Park (SWFPA) or Ian Gatt (SPFA)

- 8.2 The AEFF PAC considers applications in full, scoring them against a set of criteria selected by the FLAG and referring to guidance and score sheets provided by Marine Scotland.
- 8.3 The PAC has delegated authority to approve small projects with AEFF grant application up to £5,000.
- 8.4 The PAC makes recommendations to the FLAG and the final decision on AEFF grant applications of over £5,000 is made by the FLAG.

9 AEFF PAC and FLAG Meetings

- 9.1 PAC and FLAG meetings take place approximately three times per year.
- 9.2 PAC meetings are held approximately 3 weeks prior to FLAG meetings.
- 9.3 All PAC and LAG meetings are minuted and minutes uploaded on the AEFF website once approved.
- 9.4 Where a FLAG member has a registered interest in a project for discussion, the member must declare this interest prior to the discussion of the project at the meeting.
- 9.5 Members are required to treat discussions, documents and all other project information as confidential. At all times client confidentiality will be maintained.
- 9.6 A list of projects will be uploaded on the Aberdeenshire European Fisheries Fund website once approved by the FLAG.
- 9.7 Special meetings may be called at any time if the FLAG Chair receives a request from Partners setting out the purpose of the business to be considered at that meeting.

10 Chairperson

- 10.1 The Chairperson will preserve order, ensure that partners are given a fair hearing and will rule on matters of order, competency, relevancy and urgency.

- 10.2 In the absence of the elected Chairperson, or when an interest has been declared by the Chairperson the PAC or FLAG will call on the Vice Chairperson or another FLAG member to preside over the meeting.
- 10.3 At all meetings of the PAC and FLAG, the elected Chairperson, or in their absence, the acting Chair/Vice Chair shall preside over the meeting.

11 Quorum PAC & FLAG

- 11.1 At any meeting of the FLAG there must be a minimum of 4 member organisations represented, two of which must be private or third sector.
- 11.2 At any meeting of the PAC there must be a minimum of 3 member organisations represented, two of which must be private or third sector.
- 11.3 If a quorum is not present, at the Chairperson's or acting Chair's discretion, the meeting shall proceed and any decisions will be agreed through written procedure with the PAC or FLAG as appropriate.

12 Declarations of Interest

- 12.1 A Declaration of Interests (DOI) Register will be maintained by AEFF staff. DOI will be a regular Agenda Item and all DOIs will be minuted.
- 12.2 Potential conflicts of interest must be declared by everyone in the Register, before the approval process begins. Once any declaration has been made, the person/s should take no part in the decision making or project approval process.
- 12.3 For clarification, match funders, if they are not the applicant, are eligible to participate and vote on the discussions relating to the application.
- 12.4 No employee or representative of an applicant can participate in the decision making process, vote or score during the approval process. This also applies when the Lead Partner is the applicant.
- 12.5 Where the FLAG Chair is an employee or representative of an organisation that is an applicant, the FLAG must appoint a deputy from an impartial organisation to lead the discussion, scoring and voting. The Chair must not take part in the discussion, vote or score, however can be called upon to answer questions relating to the application.

13 Order of Business

13.1 The main business of meetings will be the consideration of grant applications and to consider the progress of the AEFF Programme and strategic issues. In general the items of business are considered in the following order:

- Attendees and apologies recorded
- Declarations of interest by members
- Minutes of previous meetings will be approved as a correct record
- Matters arising
- Chairperson's Report
- Co-ordinator's Report including Financial Statement/Progress Report
- Project Amendments
- Consideration of grant applications
- Urgent business intimated at the start of the meeting
- Any other competent business included on the agenda
- Date, Time and Location of next meeting

14 Voting

- 14.1 Subject to compliance with the AEFF guidelines as laid down by the European Commission and the Scottish Government as Managing Authority, all questions coming or arising before the meeting will be decided by a majority of the members present.
- 14.2 Views from partner organisations submitted in writing or by e-mail prior to the meeting will be accepted and included as part of the decision making process.
- 14.3 Following initial assessment of applications by the PAC, a matrix will be provided to the FLAG detailing the recommendations of the PAC.
- 14.4 The FLAG decision on applications will be recorded per member organisation and the outcomes minuted.
- 14.5 In the event of the FLAG being unable to reach a decision outright, the Chairperson will have the casting vote.
- 14.6 The FLAG may defer a decision until further information is provided by the applicant.
- 14.7 Should any amendments be required to the approved Terms of Reference, three quarters of voting members will require to be in agreement with proposed changes before any amendments are made.

15 Management and Finance

- 15.1 Aberdeenshire Council as lead partner manages the AEFF budget on behalf of the FLAG.

- 15.2 Claims to Scottish Government for drawdown of A EFF funds towards FLAG administration and project grants are submitted quarterly.
- 15.3 All monies received, held by the Lead Partner on behalf of the FLAG will be applied to further the objectives of the A EFF Programme and for no other purpose.
- 15.4 The FLAG will consider and review the staff resource requirement to deliver the programme including eligible expenditure co-financed by A EFF. Eligible expenditure includes administrative costs, project monitoring and evaluation costs, staff costs, capacity building, training, strategy development and baseline analysis.


16 Equal Opportunities

- 16.1 The FLAG will ensure that promotion of equal opportunities is central to the delivery of the programme.

17 Delegated Authority

- 17.1 Authority is delegated to the FLAG Chair, Team Manager – European Policy & Programmes and European Programmes Co-ordinator in respect of amendments to approved applications, provided the amount of the original award is not exceeded. The following is a non-exhaustive list of example situations where this authority might be exercised:

- Where, during the course of an approved project, expenditure exceeds or is less than the indicative budget set, permission to switch budget between one category of expenditure and another (without affecting the overall approved project expenditure), referred to as virement, may be approved by the FLAG Chair.
- Where a project requires an extension to the finish date the FLAG Chair may approve a change to that date.
- Where alternative match funding is confirmed, different to indicative match funding specified in the original application, the FLAG Chair may approve the necessary changes through an updated match funding profile.
- Project Amendments approved by the Chairperson will be reported to the FLAG at each meeting.

Terms of Reference Approved at FLAG Meeting, 5th June 2014	
Signature:	
Designation:	Aberdeenshire FLAG Chairperson
Date:	5th June 2014