



# AYRSHIRE RURAL AND ISLANDS AMBITION (ARIA) FUND LOCAL ACTION GROUP 2023

## GROUP PROTOCOL<sup>1</sup>

### Defined terms:

- 1 In this Group Protocol, unless the context requires otherwise:-
  - (a) The “ARIA CLV” means the Ayrshire Rural and Islands Ambition Fund Community Led Vision, a founding strategy document originally established in 2022
  - (b) The “LAG” means the ARIA Fund Local Action Group
  - (c) “Lead Partner” means the body with the delegated accountability and responsibility for administering Scottish Government finances under the terms of a Grant Award Letter with the Scottish Government
  - (d) The “fund” is the generic term for the ARIA Fund
  - (e) “MSG” means the Management Support Group

### 1. Name

- 1.1 The name of the organisation shall be the ARIA Fund Local Action Group (hereinafter referred to as "the LAG").

### 2. Objectives

The key objectives of the LAG and its members are to:

- 2.1 Deliver the CLV and ARIA Fund Strategy which is firmly grounded in the needs and wishes of people, who live and work in Ayrshire, addressing the key priorities of rural Ayrshire and supporting economic growth, environmental sustainability and vibrant rural and coastal communities.
- 2.2 To provide the investment to inspire, build confidence and strengthen local communities and business, generating new opportunities to support resilience and wellbeing across rural and islands Ayrshire.
- 2.3 Be responsive to new challenges and opportunities helping communities and enterprises to adapt and develop over time.
- 2.4 Create the conditions to succeed through working with a wide range of partners including the beneficiaries of funding.

<sup>1</sup> Group Protocol – outlines aims, objectives and operating procedures of an unconstituted, unincorporated group.

### 3. Powers

In pursuance of the objectives set out in clause 2, the LAG shall have the following powers to:-

- 3.1 Identify, develop, promote and implement the ARIA CLV and ARIA Fund Strategy delivering support within the defined strategy area and utilising and administering the Scottish Government Community Led Local Development (CLLD) funding programme.
- 3.2 Drive community engagement; promote awareness and understanding and participation processes for the benefit of the eligible rural and islands Ayrshire area.
- 3.3 Establish, operate, monitor and evaluate non-discriminatory and transparent financial and operational processes (with Lead Partner South Ayrshire Council conducting the financial transactions on behalf of the LAG) in order to ensure compliance with Grant Award Letter with Scottish Government acting as Managing Authority.
- 3.4 Consider and determine individual project applications from eligible organisations including the LAG themselves, which meet and implement the strategic aims of the AIA CLV and ARIA Fund Strategy and with power to delegate authority, as appropriate, eg: to the MSG, as described in clause 14 of this Group Protocol.
- 3.5 Monitor and evaluate strategic and project level actions, outcomes and indicators including holding an annual review each year to adjust the ARIA CLV and ARIA Fund Strategy where necessary.
- 3.6 Liaise with appropriate agencies and organisations to optimise complementarity with Scottish Government policies and other local plans and strategies.
- 3.7 Proactively seek and develop cooperation opportunities and share best practice examples with other LAGs, organisations and networks, in the UK and EU.
- 3.8 Engage consultants and advisers as necessary and where agreed by the LAG.

### 4. Membership

- 4.1 Membership of the LAG will be broadly representative of the priorities as defined within the CLV/ARIA Fund Strategy. Representation will be permitted from community interests, the business and private sector, the third sector and the public sector and will reflect that stated in the CLV: there will be a balance among Local Authority areas and equality/inclusivity will be strived for. Membership to the LAG will be open, transparent and accountable, whilst ensuring make-up of the LAG and MSG do not exceed 49% of public sector representation.
- 4.2 Membership responsibilities:

All members and advisors of the LAG are required to:

- To take a full and active part in the activities of the LAG and delegated sub-groups. Failure to attend three meetings consecutively will prompt a review of LAG membership by the Chair and South Ayrshire Council as Lead Partner.

## 5. General Structure

- 5.1 The general structure of the LAG shall consist of the members and advisors of the LAG, who will have the right to attend the meetings of the LAG, delegate authority as appropriate and take decisions in relation to changes to this Group Protocol.
- 5.2 The LAG will be the responsible partnership for the ARIA CLV and ARIA Fund Strategy, with responsibility for the overall management and strategic direction of the ARIA CLV and ARIA Fund Strategy.
- 5.3 The LAG will appoint the MSG in accordance with clauses 10, 11, 12 and 14 of this Group Protocol.

## 6. Qualifications for Membership

Membership of the LAG Members and Advisors shall be open to public sector organisations, businesses, third sector organisations and community interests.

## 7. Application for Membership and Representation

- 7.1 The LAG will consist of no more than 20 members at any time and members will hold the skills and experience needed for the priorities identified in the ARIA CLV and ARIA Fund Strategy. The LAG will also consist of no more than 10 LAG Advisors at any time.
- 7.2 The LAG will uphold a selection process should a vacancy arise within the LAG, which may involve identifying which skills/experience are needed or which Local Authority area requires representation and approaching representative organisations, or a wider advertising process. Details of the prospective LAG Member/Advisor will then be presented to the LAG for comment/objection. Once all LAG Members are content the individual will commence their LAG role.
- 7.2 Where a LAG Member/Advisor representing a specific organisation leaves that organisation, it will be considered by the LAG if that person should leave or remain a LAG Member. Where an individual leaves the LAG, if practicable that person may arrange a replacement or the organisation may provide a replacement. Any vacancy arising will be treated in accordance with this Group Protocol.
- 7.3 The LAG may, at its discretion, refuse to admit an organisation or individual to membership.

## 8. Withdrawal from Membership

Any LAG member who wishes to withdraw from membership shall sign, and lodge with the LAG via the fund Co-ordinator and/or LAG Chair written notice to that effect. On receipt of this notice, the person will cease to be a member from the end date given and the LAG will be notified.

## 9. Procedure at Meetings of the ARIA Local Action Group

- 9.1 Every member/advisor will be given an introductory briefing and any relevant is training prior to participating in LAG meetings.
- 9.2 The LAG will meet a minimum of 3 times per year.
- 9.3 No decisions shall be dealt with at any meeting unless a quorum of LAG Members is present. The quorum shall be half of the number of LAG Members present (or a maximum of 10 if LAG Member numbers rise to above 20). In the event that the number of members attending is uneven, the number of attendees will be rounded down. LAG Advisors will not hold a vote.
- 9.4 The Chair and Vice-Chair of the LAG will be appointed at the inaugural meeting of the LAG. Subsequently, the Chair or Vice Chair shall (if present and willing to act as Chair or Vice Chair) preside as Chair of each future LAG meeting. If the Chair or Vice Chair is not present within 15 minutes after the time at which the meeting was due to commence, the members of the LAG present at the meeting shall elect from among themselves, the person who will act as Chair of that meeting.
- 9.5 The Chair of a meeting may, with the consent of the meeting, adjourn the meeting to such time and place as the Chair may determine.
- 9.6 Voting: any motion, amendment or proposal shall be deemed to be carried if a simple majority of those members attending so agree. A resolution put to the vote at a meeting shall be decided on by a show of hands, including if the meeting is held virtually.
- 9.7 The LAG may, at its discretion, allow any person or organisation whom they consider appropriate, to attend and speak at any meeting of the LAG; any such person invited to attend shall not be entitled to vote.
- 9.8 A member of the LAG shall not vote at a meeting of the LAG on any resolution concerning a matter in which he/she or the organisation that he/she represents has an interest, which conflicts (or may conflict) with the interests of the LAG; he/she must withdraw from the meeting, while the matter is being discussed and determined.
- 9.9 In the event of any tied vote, the Chair of the meeting shall have a casting vote.

9.10 The LAG may, at its discretion permit the use of decision making via email including the appraisal of applications, where deemed appropriate or necessary by the fund Co-ordinator, Chair or Lead Partner.

## 10. Eligibility

A LAG Member shall not be eligible for election to the MSG unless they are a member of the LAG.

## 11. Election, Retiral, Re-election

11.1 The Chair and Vice-Chair of the LAG will be appointed at the inaugural meeting of the LAG. They will hold office for three years upon expiry of which they will stand down and a new Chair and Vice will be elected. A Chair or Vice standing down may stand again for re- election as Chair or Vice.

11.2 At any meeting of the LAG, the members may elect any member to the MSG.

## 12. South Ayrshire Council as Lead Partner

South Ayrshire Council acts as the Lead Partner for the fund. South Ayrshire Council has delegated accountability and responsibility for administering fund finances under the terms of an annual CLLD grant award letter issued by the Scottish Government. South Ayrshire Council will be responsible to the LAG for supporting the operation of the fund and supporting successful implementation of the ARIA CLV and ARIA Fund Strategy, including responsibility for employing staff, including the fund Co-ordinator as defined at clause 13 of this Group Protocol. The fund staff will be employed by and work in partnership with South Ayrshire Council as Lead Partner, whilst working for, and reporting to, the LAG.

As Lead Partner, South Ayrshire Council will remain a member of the LAG and MSG, at all times but take a non-voting role.

## 13. Role of the Fund Co-ordinator

The fund Co-ordinator shall act as Secretary to the LAG and MSG and will be responsible for the technical appraisal of projects prior to assessment by members.

## 14. Role of MSG and Procedure at MSG Meetings

14.1 The MSG will be chaired by the LAG Chair or Vice Chair and will provide support to the fund Co-ordinator. The MSG will have a maximum of 9 members and business may be dealt with but no decisions will be made at any MSG unless a quorum is present. The quorum shall be half of the number of MSG members present. The principal responsibilities of the MSG may include, but not be limited to:

- make any necessary operational decisions essential for the continued effective delivery of the fund (escalating to full LAG as necessary), in

consultation with the fund Co-ordinator and Lead Partner

- the oversight and monitoring of the physical and financial performance of the fund including receiving and approving the fund Co-ordinator's report on the operation of the fund
- monitor the equal opportunities process and progress against target groups and make any necessary recommendations arising
- support strategic project development and co-ordination
- maximise the opportunities for operational and funding integration
- proactively drive the pursuit of innovative solutions
- ensure complementarity with other programmes and funding streams; and
- reporting on the above at next scheduled full LAG meeting

14.2 The MSG will work in accordance with clauses 10, 11, 12 and 14 of this Group Protocol and will adopt the essential LAG criteria in terms of its balance and composition.

14.3 Membership of the MSG will be reviewed by the LAG periodically to ensure appropriate skills/mix.

## **15. Management and Control of Fund Finance**

15.1 South Ayrshire Council acting as Lead Partner will be the banker on behalf of the LAG. South Ayrshire Council will use its financial systems to pay out approved grant claims and operational costs as approved by the LAG, having received appropriate funds from the Scottish Government. South Ayrshire Council will employ fund staff on behalf of the LAG and all associated fund costs will be fully reimbursed to the Council by the the Scottish Government, co-ordinated by the fund Co-ordinator.

15.2 The fund Co-ordinator will have responsibility, on behalf of the Lead Partner and LAG, for preparation and submission of regular financial claims, reports and progress updates to Scottish Government.

15.3 This Group Protocol limits financial liability on LAG members for transactions conducted through the fund. As is laid out this is the responsibility of South Ayrshire Council.

## **16. Special General Meeting**

16.1 A Special General Meeting shall be convened following the receipt by the Chair of a request for such a meeting signed by representatives of a majority of the number of member organisations. Such a request shall indicate the reason for the request for a Special General Meeting. A Special General Meeting can also be convened following majority consensus at an ordinary meeting.

16.2 Upon receipt of such a request, the LAG shall convene a meeting, to which all member organisations shall be invited. Ideally, such a meeting shall take place

within 28 days of receipt of request, and member organisations shall receive at least 14 days' notice of the meeting. Notice of the meeting shall include a copy of the agenda for the meeting, which shall clearly indicate the reason for the meeting.

- 16.3 The quorum and voting arrangements for any Special General Meeting is as described in clause 9 above.

## 17. Alterations to the Group Protocol

- 17.1 Any proposal to alter this Group Protocol must be provided in writing to the fund Co-ordinator or LAG Chair prior to the date of the meeting at which it is first to be considered. The terms of the proposed resolution to alter the Group Protocol shall be stated on the notice calling the meeting which shall be issued prior to the meeting. If the resolution is supported by a simple majority of the member organisations who attend and vote at such meeting, the alteration shall be deemed to have been duly authorised. In the event of any tied vote, the Chair of the meeting shall have a casting vote.
- 17.2 The Group Protocol will be reviewed at the Annual Review meeting or sooner, if required, to ensure compliance with the annual Scottish Government CLLD grant award letter or any other reason the LAG or Lead Partner deem necessary.

## 18. Dissolution

- 18.1 If the LAG decides at any time that, on the grounds of expense or otherwise, it is necessary or advisable to dissolve, it shall agree a date for a meeting of member organisations and the Lead Partner to be held to discuss the proposed resolution to dissolve. Prior to the date of such meeting members shall receive information indicating the terms of the proposed resolution to dissolve the organisation. If the resolution is supported by a simple majority of the members who attend and vote at such a meeting, the alteration shall be deemed to have been duly authorised. Any meeting shall be chaired by the Chair or Vice Chair of the LAG or, in their absence, another nominated member of the LAG or by the Lead Partner, where appropriate. In the event of any tied vote, the Chair of the meeting shall have a casting vote.
- 18.2 All grant funding (received by the LAG) remaining after the satisfaction of grant allocation and internal revenue spend shall transfer to the Scottish Government.

## 19. Data Protection and Freedom of Information

- 19.1 All parties warrant that they will duly observe all their obligations under the 2018 General Data Protection Regulations which arise in connection with this Group Protocol and their dealings with, membership of, and participation in the LAG, and that they will comply with the terms of any data sharing protocols with the Scottish Government.
- 19.2 To the extent that the public authorities within the LAG are public authorities within

the meaning of the Freedom of Information (Scotland) Act 2002 (FOISA) or the Environmental Information (Scotland) Regulations 2004 (EIRs), they will comply with their statutory obligations under FOISA and EIRs.



## SIGNATORIES

Signatures may also come in the form of e-signatures via email.

Name	Representing	Designation LAG Chair/Vice Chair/Member	Signature

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