

CHICHESTER HARBOUR CONSERVANCY

FARMING IN PROTECTED LANDSCAPES LOCAL ASSESSMENT PANEL – CONSTITUTION AND TERMS OF REFERENCE

The Farming and Protected Landscapes (FiPL) Local Assessment Panel (LAP) acts on behalf of the Department for Environment, Food and Rural Affairs (Defra) in considering and awarding grants for Farming in Protected Landscapes within, directly adjacent to, or affecting Chichester Harbour Area of Outstanding Natural Beauty.

Objectives

On behalf of Defra:

- To appraise all applications requesting £5,000.00 or more.
- To appraise occasional applications requesting less than £5,000.00.
- To discuss the relative merits of every application in a fair, impartial and democratic manner, in accordance with the Nolan Principles of Public Life.
- To make grant award decisions for Chichester Harbour Conservancy.
- To apply the guidance and criteria provided by Defra.

Arrangements for Meetings

- Meetings will be held approximately every eight weeks. The Chairman may call additional meetings of the FiPL LAP at any time.
- Meeting may be held virtually or in-person.
- Meetings will take place in public and after public notice.
- Business may take place without press or public attendance if so determined by reference to the need to ensure commercial confidentiality for grant applicants.

Membership

- Total Membership: 10.
- Membership shall include:
 - 2 x Chichester Harbour Conservancy Board (elected officials)
 - 1 x Natural England
 - 2 x Other Conservation Bodies
 - 5 x Farming and Landowning Interests

Quorum 4.

Appointments

- In the first instance, Members are to be directly appointed by Chichester Harbour Conservancy, based on skills, knowledge, and expertise. Thereafter, Membership, excluding the Conservancy and Natural England, will be subject to an open recruitment procedure.
- Deputies may be appointed but should not attend LAP meetings in addition to the actual Member (only in place of, except for training when both may attend).
- At the Chairman's discretion, individual membership of the LAP may not be renewed if any given Member misses three consecutive meetings during the year.

Term of Appointment of Members

One year. Members to be appointed by the Conservancy at its Annual Meeting.

Appointment of Chairman and Vice-Chairman

The FiPL LAP shall appoint the Chairman and Vice-Chairman from within its membership annually at the first meeting of the FiPL LAP following the Conservancy's Annual Meeting.

The maximum term for a member to serve as Chairman normally will be limited to three years (subject to annual appointment) but may in exceptional circumstances be extended by up to a further three years.

The maximum term for a member to serve as Vice-Chairman will be three years (subject to annual appointment). A member serving as Vice-Chairman may serve subsequently as Chairman.

Roles and Responsibilities

- The role of the FiPL LAP is to assess applications for grant support in accordance with the delivery of the Chichester Harbour Management Plan and by reference to guidance and criteria provided by Defra.
- Although the FiPL LAP reserves the right to refuse any given application, the main role of the members is to seek to add value to the proposed project to maximise opportunities for nature recovery.
- Should they so wish, any Member of the Conservancy Board or Advisory Committee who is not a member of the FiPL LAP may, at the discretion of the Chairman, make a short presentation to the meeting (maximum five minutes) on any grant application.

- Members are to have regard to Section 21 of the Chichester Harbour Conservancy Act 1971, which says:

It shall be the function of the Conservancy subject to the provisions of this Act, to take such steps from time to time, to maintain and improve the Harbour:

a) for the use of pleasure craft and such other vessels as may seek to use the same.

b) for the occupation of leisure and recreation and the conservation of nature and the facilities (including, in relation to the Harbour, navigational facilities) afforded respectively therein or in connection therewith.

In the fulfilment of the function with which they are charged, the Conservancy shall have regard to the desirability of conserving the natural beauty and amenity of the countryside and of avoiding interference with fisheries.

- Members must act in an objective, fair, impartial and open-minded way, and in the best interests of the Conservancy and AONB when considering grant applications.
- The Chairman may exercise a second or casting vote to resolve any tied vote on any matter under consideration.
- Members must adhere to the Culture & Values of Chichester Harbour Conservancy when discharging their duties:
 - We are passionate about Chichester Harbour and committed to achieving our goals
 - We strive to use resources in the most sustainable way we can
 - We respect and care for our staff, volunteers, partnerships, the environment, and wildlife
 - We are knowledgeable but always learning, and we collaborate with others and share our expertise

Conflicts of Interest

- Members must declare at the start of the meeting any pecuniary, personal or prejudicial interest they may have in relation to any application.
- Any member who declares a pecuniary or prejudicial interest in any given item must withdraw from the meeting during discussion of that item and

will not be permitted to comment as a member of the FiPL LAP nor vote on the application.

Delegated Decisions – Small Grants Panel

Decisions relating to applications outside the scope of the LAP that are submitted for a decision at any time are delegated to the Chairman, Vice Chairman, and Director, or another officer, as determined by the Director. This applies to grant requests of up to and including £4,999.99.

- The officer will assess and respond to these cases in accordance with the delivery of the AONB Management Plan and DEFRA guidance.
- The officer will provide an update to FiPL LAP meetings on all recent delegated decisions to the Small Grants Panel.
- Any application of up to £4,999.99 may be redirected by the Director to the FiPL LAP for determination.

Appeals Panel

If an application for funding is refused, the applicant may wish to appeal the decision. If the refusal decision was for a grant determined by the Small Grants Panel, the FiPL LAP will act as the Appeals Panel.

If the refusal decision was for a grant determined by the FiPL LAP, the Appeals Panel will be constituted as follows.

- Total Membership: 3
 - 1 x FiPL LAP Chairman
 - 2 x Conservancy staff (both Senior Management Team).

Quorum 3.

- The Chairman of the Panel will advise 2 representatives of the Conservancy's Senior Management Team.
- The decision of the Appeals Panel is final.

Appeals are only permitted in the following circumstances. If the applicant thinks the LAP:

- Made a mistake with the application.
- Made a processing error.
- Got the law wrong.

Notes

- The Conservancy will write to the applicant after the original funding decision is made with a brief explanation of the reasoning.
- The applicant reserves the right to make an appeal at any time within 10 working days after the date on the feedback letter. If this date is passed, an appeal will not be considered.
- The Conservancy will arrange an Appeals Panel within 14 days of the receipt of the response.
- The Conservancy will write to the applicant with their decision and a brief explanation of the reasoning.

Adopted: 09/11/2021.