

## Expectations for Local Assessment Panels

### Farming in Protected Landscapes

#### Local Assessment Panel

##### Purpose of the Panel

To consider and decide on applications for projects (above £5,000) submitted to the Farming in Protected Landscapes (FiPL) programme, according to the agreed criteria for the programme as published in the information for applicants and in accordance with the scoring system provided. Protected Landscapes are responsible for appointing the panel.

##### Role of Local Assessment Panel (LAP)

The panel shall:

- Refer all enquiries for the Farming in Protected Landscapes grant to the Protected Landscapes FiPL officer without prejudicing their decision making
- Receive a report and recommendation on all valid applications from the FiPL officer and should consider all applications along with the FiPL officer report and recommendations
- Assess applications, giving regard to the FiPL National Framework and other guiding documents, and marking applications to achieve the desired outcomes of the FiPL programme
- Assess applications using the scoring system provided
- Award, partially award, request more information or refuse applications
- Give precise reasons for decisions - these reasons should refer to the guidance documents and scheme criteria.
- Treat decisions as confidential until notice has been issued by the Protected Landscape to the applicant.
- Review and make recommendations for alterations the Panel's Terms of Reference; these recommendations will be considered by the Chief Officer or their nominee and the Chair of the panel
- Champion the FiPL programme with farmers, land managers and other relevant organisations
- Have regard to the [Nolan Principles](#) in all its affairs

##### Membership of the LAP

- Panels will be appointed rather than subject to recruitment processes.
- Panels should be made up of a good geographical and thematic spread across the PL
- Panels should have a mind to equality and diversity. The panel should as far as practical represent the diversity of the people who live, work and spend time in the Protected Landscape.
- Interests across both the environment and access and engagement related causes should be represented on the panel

- Panel members should also have excellent specialist knowledge in their field, good knowledge of the local area and the respect and support of their peers.
- Panels may be made up of one or more Protected Landscape bodies. These shared Local Assessment Panels will assess applications for the PLs present. This approach is to allow participating Protected Landscape bodies to benefit from a greater sharing of collective knowledge and experience.
- Panels should have at least 5 panel members
- For shared local assessment panels there should be a maximum of 18 panel members (excluding the Chair)
- The quorum of the panel should be 50% (at least 3) + 1 of the agreed panel size
- The panel must consist of representatives of:
  - the Protected Landscape Team;
  - Natural England
  - the farming and land management community (several members);
- Protected Landscape teams are strongly encouraged to include the RPA in the representation of the panels and also to consider including further representatives from the Defra network (Forestry Commission, Environment Agency, and Historic England) as appropriate. It may be that PLs bring in FC/EA/HE guidance and expertise for 'one off' advice when necessary. The FC, EA and HE are all committed to this approach and it is up to their discretion as to whether they attend the panel. They will not be required to attend the full duration of a panel. Please see Annex S for more information on how the FC, EA, HE, NE and RPA can support panels and relevant contact information to arrange attendance at panels.
- The panel should consider representatives from organisations with a focus on nature recovery, rural development, public access/engagement and existing agri-environment support and provision.
- The panel may keep its membership under review and may, at the discretion of the Chair and the Director of the Protected Landscape or their nominee, invite additional members or remove members.
- The Panel should appoint a chair from among its membership at the first meeting.
- The secretariat should be provided by the Protected Landscape. For shared Local Assessment Panels this decision should be made locally.
- The Panel membership should be available to the public, if requested

### **Organisation of LAP meetings**

- Panels will meet on a regular basis to consider applications with an expectation that this will be every 8 weeks. The schedule of meetings will be determined by the PL. Additional meetings can be called at a minimum of 5 working days' notice.
- Meetings should be considered quorate where at least 50% +1 of the membership is present.
- All members of the panel should have equal voting powers and decisions should be taken by a majority of those present. In the event of no clear conclusion the Chair should have a second and casting vote.
- Where it is considered (by officer or panel member) that a member has a conflict of interest in a matter under discussion, that member must be excluded from that part of the meeting (they will have to leave the meeting or disconnect from a video link), they will have no vote

on such applications and the conflict of interest noted in the minutes. Panel members will have a responsibility to declare an interest in any application under discussion.

- All applications and matters discussed at grants panel meetings should be treated in the strictest confidence, though it should also be noted that all communication in relation to the fund is on the public record and subject to Freedom of Information legislation.

### **Administration**

- All meetings should be scheduled where possible to suit the majority of members, meetings can be called at a minimum of 5 working days' notice.
- The agenda, supporting papers and report should be issued at least one (1) week before the date of a meeting, by email.
- Panels can choose to meet virtually and also decide by correspondence by local agreement.
- All administration of the panel including minute taking will be the responsibility of the Protected Landscape. This includes reasons for decisions made at the meeting.
- Decisions of the panel including the reasons for those decisions should be issued in writing to applicants within 1 week of the date at which it was agreed.
- Minutes of the panel meeting should be circulated to members within two (2) weeks of a meeting. They shall include:
  - Attendance
  - Matters arising from previous meetings (e.g. progress on deferred applications)
  - A decision record for each application
  - Financial information (committed and spent funds)
- On receipt of timesheets, farmer and land manager representatives to the panel and those from organisations with charitable status attendees can be reimbursed expenses for preparation for and attendance at panel meetings at the discretion of the lead Protected Landscape. This spending would come out of Protected Landscape's admin budgets and should be a shared expense across the groups of Protected Landscapes if the panel is a shared panel.

### **Conflicts of interest**

All members of the Local Assessment Panels will be required to adhere to the Nolan Principles of conduct in public office<sup>1</sup>. Panel members will be expected to declare any pecuniary interest or other conflict of interest in projects being assessed. Where there is such a conflict of interest, the panel member must withdraw from the meeting while the rest of the panel deliberate on those matters.

Panel members may apply to the fund but, will not be involved in assessing their own applications nor may they lobby other panel members for support. Where it is considered (by officer or panel member) that a member has a potentially compromising interest in a matter under discussion, that member should be excluded from that part of the meeting, must abstain from voting on the application, and the conflict of interest noted in the minutes. This includes the FiPL officer or members of the Protected Landscape if there is an application from the Protected Landscape to the programme.

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<sup>1</sup> <https://www.gov.uk/government/publications/the-7-principles-of-public-life>

## **Appeals**

Appeals on decisions made on applications should be made to the Protected Landscape body in which the applicant is based (regardless of whether the decision was made at a shared Local Assessment Panel).

Applicants can only query a funding decision if they think that the Local Assessment Panel has:

- made a mistake with the application
- made a processing error
- got the law wrong

Applicants must set out to their relevant Protected Landscape body the reason for their appeal under one (or more) of these 3 criteria. Information on how to appeal should be included in the written decision from the panel as a matter of course.

Applicants should be provided with the following advice for making an appeal:

- An appeal must be made within 10 working days of receiving your application decision
- The PL will aim to communicate with you about your appeal within 15 working days from when you submitted your appeal.

Appeals should be dealt with locally in the first instance by the relevant Protected Landscape body. Where necessary, Protected Landscapes bodies (and, for AONB Partnerships, their host authorities) can escalate the appeal to Defra for advice and further management of the appeal.

## **Complaints**

Complaints (separate to appeals on applications) should be directed to the Protected Landscape body relevant to the application or project. Protected Landscape bodies should all have complaints procedures in place and there will be some local variation.

Applicants should be provided with the following advice for making a complaint:

- The PL will aim to communicate with you about your complaint within 15 working days from when you submitted your complaint, although if the matter is complex this may need to be extended, within a reasonable period, after explaining to why.

Protected Landscape bodies should address the complaint in the first instance. Should an applicant think their complaint is not being dealt with adequately, the Protected Landscape body can refer the complaint to Defra for further investigation.

All Protected Landscapes will have formal complaint and compliment procedures in place and fall under the jurisdiction of the independent Local Government and Social Care Ombudsman which is the final stage for complaints about the local authorities (i.e. protected landscapes).

## **Reviews**

Defra will undertake an annual review of these expectations.