

<b>Meeting:</b>	NuLeAF Annual General Meeting, 18 October 2007
<b>Agenda Item:</b>	2
<b>Subject:</b>	NuLeAF Constitution
<b>Author:</b>	Fred Barker
<b>Purpose:</b>	To adopt a constitution

## **Introduction**

This report presents a constitution for adoption.

A draft version was considered at the Steering Group meeting in June. Two changes have been made to the draft considered at that meeting:

- addition of a clause on NuLeAF's remit (para 3);
- clarification that the Chair and Vice-Chair should be councillors from fee-paying member authorities (para 16).

## **Recommendation**

That the AGM formally adopt the constitution as presented.

# **NULEAF CONSTITUTION**

## **NAME AND STATUS**

- 1 NuLeAF stands for Nuclear Legacy Advisory Forum.
- 2 NuLeAF is formally established as a Special Interest Group of the Local Government Association (by agreement of LGA political group leaders at their meeting on 26 November 2003).

## **NULEAF'S REMIT**

- 3 NuLeAF's remit encompasses all aspects of the management of the UK's nuclear legacy. This includes the implications for legacy management of any developments that are likely to impact on that management.

## **PRIMARY OBJECTIVES**

- 4 NuLeAF's primary objectives are:
  - to provide a mechanism to identify, where possible, a common, local government viewpoint on nuclear legacy management issues;
  - to represent that viewpoint, or the range of views of its member authorities, in discussion with national bodies, including Government, the NDA and the regulators;
  - to seek to influence policy and strategy for nuclear legacy management in the interests of affected communities; and
  - to develop the capacity of its member authorities to engage with nuclear legacy management at a local level.
- 5 NuLeAF's initial terms of reference and aims should be read in the context of these primary objectives. The initial terms of reference and aims are attached as an Annex.

## **MEMBER AUTHORITIES**

- 6 Membership of NuLeAF is open to all local authorities in England and Wales.
- 7 There are two types of member authority:
  - Contributing: a member authority that makes an annual financial contribution to help meet the costs of running the organisation; and
  - Corresponding: a member authority that wishes to express support for NuLeAF but which does not make an annual financial contribution.

8 Contributing and corresponding member authorities are entitled to attend (a) Annual General Meetings (AGMs) and (b) quarterly Steering Group (SG) meetings. Only contributing member authorities are entitled to vote at AGMs and SG meetings<sup>1</sup>.

9 NuLeAF services will be available free of charge to contributing member authorities. A fee may be charged for the provision of some services to corresponding member authorities.

10 Member authorities will nominate councillor and officer contacts for receipt of information and invitations to meetings.

### **STEERING GROUP**

11 NuLeAF's work will be overseen by a Steering Group of representatives from member authorities that will meet approximately four times a year.

12 The Steering Group will make decisions on the basis of advice and recommendations from NuLeAF's Executive Director or their nominee. A minute of all decisions taken will be kept.

13 The agenda and papers for consideration at a SG meeting shall be sent out as far as possible seven days prior to the date of each meeting.

14 The Steering Group will seek to take decisions on a consensual basis. Should a vote be required, voting powers will be restricted to councillors from contributing member authorities and to one vote per authority.

15 The Quorum for a SG meeting shall be four member authorities.

### **CHAIR AND VICE-CHAIR**

16 NuLeAF shall have a Chair and Vice-Chair, who will be councillors from contributing member authorities. The Chair and Vice-Chair will be appointed at the AGM. Should a vote be required, voting powers will be restricted to councillors from contributing member authorities and to one vote per authority.

17 The maximum term of office for a Chair or Vice-Chair, from the time of adoption of this constitution, will be three years.

### **ANNUAL GENERAL MEETING**

18 The AGM shall take place in October of each year, immediately after a SG meeting.

19 The agenda and papers shall be sent out as far as possible seven days prior to the AGM.

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<sup>1</sup> The October 05 NuLeAF AGM agreed to recognise the role of Nuclear Free Local Authorities (NFLAs) in developing NuLeAF membership by offering up to five voting places on the NuLeAF Steering Group. This offer was accepted by the NFLAs at their 2005 AGM.

20 The AGM will approve a statement of the previous year's income and expenditure, and a programme of work targets for the year ahead.

21 The AGM will seek to take decisions on a consensual basis. Should a vote be required, voting powers will be restricted to councillors from contributing member authorities and to one vote per authority.

22 The Quorum for an AGM will be the same as for SG meetings.

## **MEETING VENUES**

23 SGs and AGMs will be hosted by member authorities or take place at LG House in London.

## **AMENDMENT OF CONSTITUTION**

24 This constitution may be amended at an AGM with the agreement of at least two thirds of contributing member authorities.

## **STAFF**

25 The SG will be responsible for decisions about the number and types of staffing positions that are required to undertake NuLeAF's work in accordance with the primary objectives stated above.

26 Agreement will be reached with a member authority about arrangements for the appointment and employment of staff. That member authority will act as the "employing authority". Job and person profiles and pay grades will be agreed with the employing authority, and staff will be subject to the terms and conditions of the employing authority.

## **INCOME AND EXPENDITURE**

27 NuLeAF's budget account will be held by a member authority acting on NuLeAF's behalf. That member authority will act as the "accounting authority".

28 The account will be jointly managed by NuLeAF staff and the accounting authority.

29 Statements of annual income and expenditure will be approved by the AGM. Regular financial updates will be provided to SG meetings.

## **MEMBERSHIP FEES AND OTHER INCOME**

30 Contributing member authority fees will be on a sliding scale based on the population of a member local authority. The fee scales shall be set at the AGM each year.

31 NuLeAF will be able to seek additional financial contributions from other sources. NuLeAF will ensure that the provision of any such funds is accompanied by

an understanding and written agreement that states that “nothing in this agreement shall in any way constrain or be regarded as exerting influence on the viewpoints reached by NuLeAF ..”.

### **REPORTING TO THE LGA**

32 NuLeAF will submit an annual report to the LGA Executive in April.

33 It will maintain liaison with the appropriate policy officer at the LGA and provide information about its policy and activities as necessary.

## **Annex: Initial Terms of Reference and Aims**

The **Terms of Reference** are:

Bearing in mind the renewed emphasis on stronger local government and the recognition by Government of each authority's role as leader of its community, the LGA SIG on radioactive waste management and decommissioning issues will:

- seek to ensure that all nuclear waste management and nuclear decommissioning activities operate to the highest safety, security and environmental standards by contributing to best practice in the development of a policy framework for radioactive waste management and NDA strategy and implementation
- provide a forum through which to seek to establish a common local government view about: the Government's radioactive waste management policy development process; policies to monitor, inform and influence the formation, strategy and operation of the NDA: and other nuclear issues
- seek to promote such agreed views by engaging with Government, the NDA and other agencies about legacy issues in the short and long term
- provide advice and support to local authorities that request it, and
- having regard to the foregoing, hold meetings as appropriate, seek appropriate local government representation on relevant bodies, provide for the briefing of LGA members on the issues concerned, publicise the issues within the local government community, and seek a mechanism that will ensure appropriate community representation in all relevant decision making.

The **Aims** are:

- to seek to ensure that all nuclear, waste management and decommissioning activities operate to the highest safety, security and environmental standards
- to raise the profile of debate within local government on any issue with very significant implications for any area affected by future proposed radioactive waste development
- to increase and aid 'capacity building' within local government and enable informed responses to Government and the NDA from a broader based local government grouping
- to be an interface with government and the NDA on future strategic radioactive waste policy, decommissioning and liabilities management issues
- to confer greater democratic legitimacy on Government and NDA engagement processes in the decommissioning and legacy management sphere

- to add weight and credibility to the current local government input into the radioactive waste, decommissioning and liabilities engagement processes now in hand
- to effectively utilise the democratic legitimacy of local government and increase influence over policy and strategy proposals that will be critical to national progress on nuclear industry legacy issues
- to provide representatives on Government and NDA consultative, stakeholder and advisory bodies reporting back to local government through the SIG mechanism
- to lever resources, in addition to those conferred through the establishment of a SIG\*, to enable 'capacity building' within local government so that Government policy can develop with broad based democratic consent

(\*Note: Resources 'conferred through the establishment of a SIG' are room use free of charge at LGA House)