

Meeting:	Annual General Meeting, 15 October 2015
Agenda Item:	5
Subject:	Amendment of NuLeAF Constitution
Author:	Catherine Draper
Purpose:	To amend the NuLeAF Constitution to more accurately reflect funding sources and work programme.

1. Background

NuLeAF's governing Constitution was drawn up and agreed by the contributing member authorities in 2007. Since that time the way NuLeAF works and is funded has evolved. In order to support the secretariat in their work and application for funding it is proposed that minor amendments be made to the Constitution.

2. Recommendation

That the AGM agrees to approve:

- (i) the addition of RWM to bullet point 2 of the paragraph on Primary Objectives; and
- (ii) that the work programme be brought in to line with the financial year and paragraph 20 amended accordingly.

3. Proposal

2.1 In April 2014 RWM became an independent body from NDA. It currently provides significant funds to support the NuLeAF and it would be appropriate to reflect this in the wording of the Constitution. It is proposed that RWM be recognised in the section on Primary Objectives thus:

4. PRIMARY OBJECTIVES

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, **RWM** and the regulators;

2.2 Currently the NuLeAF work programme (November to October) is out of line with the financial year (April to March). It is proposed that the work programme is brought into line with the financial year and this be reflected in the text of paragraph 20 of the Constitution:

20 The AGM will approve a statement of the previous year's income and expenditure. **A programme of work targets for the financial year ahead will be approved by an EGM at the last Steering Group meeting of the financial year.**

Annex A

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 meetings¹.

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.

¹ 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.