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Title:	Terms of Reference of the West Cumbria MRWS Partnership
Author:	Steering Group
Notes:	Working draft

1. Aim and Objectives of the Partnership

- 1.1. The **aim of the West Cumbria MRWS Partnership** is to make recommendations to Allerdale Borough Council, Copeland Borough Council and Cumbria County Council (the Principal Authorities) on whether they should participate or not in the Geological Disposal Facility siting process, without commitment to eventually host a facility.
- 1.2. **Specific objectives** are delivered via the work programme and the Public and Stakeholder Engagement plan. Objectives include the following:
- a) To build Partners' understanding of the siting process for the Geological Disposal Facility (GDF)
 - b) To identify appropriate criteria for deciding whether or not to participate in the siting process for a GDF
 - c) To inform the general public and stakeholder organisations about the issues associated with the siting process for a GDF, and to gauge their views about future participation.
 - d) To assemble information about the potential intergenerational benefits and disbenefits of a GDF in West Cumbria so as to assist Partners, the general public and stakeholder organisations in reaching a view about future participation.

2. Operation

- 2.1. **Chair.** The Chair will rotate at six monthly intervals between the three Principal Authorities. The Principal Authority who is in the Chair will also Chair the Steering Group.
- 2.2. **Steering Group.** A small steering group will manage the work and process, meeting at least once in between Partnership meetings. The membership of the Steering Group should involve the Principal Authorities and reflect the diversity of the full Partnership, whilst still being a manageable size. The Steering Group can co-opt members as required.
- 2.3. **Working Groups** may be set up to investigate and report back on issues agreed by the Partnership.
- 2.4. **Secretariat.** Administrative support to the Partnership will, in the first instance, be provided by Copeland Borough Council. Meeting venues will, where convenient, alternate between the Allerdale and Copeland areas.
- 2.5. **Expenses.** The expenses of partners will be provided subject to the Partnership's 'Funding Stakeholders Policy' (document 8). A record of all expenses claimed will be kept by the secretariat.

- 2.6. **Frequency of meeting.** The Partnership will meet approximately every 6 weeks, depending on the work programme agreed and partner availability.
- 2.7. **Decision Making.** Decisions should be reached by consensus where possible. When they arise, differences of view will be clarified.
- 2.8. **Working Style.** This is expected to vary between more formally chaired meetings and facilitated meetings (using independent facilitators) to help the Partnership with particular discussions and tasks. This would be planned in liaison with the steering group.
- 2.9. **Reporting.** After each meeting a brief Meeting Report will be issued for agreement with partners. As a minimum, Meeting Reports will focus on decisions taken and actions agreed. Under normal circumstances each Meeting Report would be published as soon as possible after the meeting and at least one week before the next meeting, enabling transparency for all.
- 2.10. **Legal Status.** The Partnership is formally constituted via these Terms of Reference and acknowledged through the decision-making processes of its members. It is not however a legal entity.
- 2.11. **Funding.** DECC is the funder and CopelandBC is the accountable body. The Steering Group will agree an overall budget: any variation away from this budget of over £5,000 must be considered and agreed by the Steering Group, including the Principal Authorities.

3. Membership

- 3.1 **Membership Criteria.** The following criteria exist for full membership:
 - 3.1.1 Hold a substantive interest in Copeland and/or Allerdale and the impact a geological disposal facility might have on the wider area
 - 3.1.2 Represent a formally constituted body or community of interest whose views are not already represented on the Partnership
 - 3.1.3 Be willing to operate within the Terms of Reference and working agreement of the Partnership
- 3.2 **Membership List.** The following partner organisations will be invited:
 - Allerdale Borough Council – 4
 - Copeland Borough Council - 4
 - Cumbria County Council – 4
 - South Lakes District Council – 1
 - Eden District Council - 1
 - Carlisle City Council - 1
 - Barrow Borough Council – 1
 - Local Strategic Partnership – 1
 - Cumbria Association of Local Councils, Copeland – 2
 - Cumbria Association of Local Councils, Allerdale – 2
 - Cumbria Association of Local Councils, Cumbria - 1
 - Cumbria Tourism - 1
 - West Cumbria Sites Stakeholder Group – 1
 - Lake District National Park – 1
 - NFU – 1
 - Trade Unions – 2
 - Chamber of Commerce – 1
 - NuLeAF – 1

- Local Environmental NGO – 1
- Local media – 2

There should be a majority of members who are based in Copeland and Allerdale. Note that elected members may request officer advisors to accompany them. Emergency services would be kept informed of developments, and invited later in the process when discussions are more advanced as appropriate.

- 3.3. **Observing members.** The Partnership may invite additional organisations or individuals to attend and observe, as well as inform and advise the group when requested. Observing members do not take part in the Partnership's decision-making. These observing members include but are not limited to the Department of Energy and Climate Change, Nuclear Decommissioning Authority, Isle of Man Government, CoRWM and regulators.
- 3.4. **Public.** Full Partnership meetings will normally be open to the public to observe, including a limited opportunity to ask questions in each meeting. Only occasionally is it expected that discussions will be conducted in private session.
- 3.5. **Working Agreement.** Partners agree to operate within the draft working agreement set out in Annex 1. Abiding within this working agreement is considered an act of respect to other participants. Seriously breaching the agreement is considered to be a withdrawal of commitment and an act of disrespect. In the event of a breach, it is the Steering Group's responsibility to decide on appropriate action to be taken.

The Terms of Reference are open to continual review and evolution by partners in order to respond to changing circumstances.

Annex 1 – Working Agreement for Participation in the Partnership

This working agreement is open to review at any time.

Aim/Objectives

1. Partners will take care to emphasise the *early and provisional* nature of discussions in the overall process when talking about the Partnership externally.

Operation and Communications

2. Confidentiality and Attribution. To encourage free expression in meetings, participants can request that their views are not attributed. The meeting record will not normally attribute comments unless requested in a specific instance.
3. Accuracy of Meeting Summaries. It is the responsibility of each partner organisation to check the draft Meeting Summaries circulated and respond with suggested changes within the deadline circulated. No response by the deadline will be taken as agreement.
4. External communications. All members agree to work together to ensure that communication of the Partnership's business is as clear, consistent and accurate as possible. In this spirit, all members agree:
 - a) not to talk for the Partnership unless mandated to do so by the Partnership or Steering Group

- b) to bear in mind the need to coordinate communication opportunities. Practically speaking this would entail notifying at least the Steering Group in advance of communicating widely¹ about the Partnership, unless it is common knowledge that the particular communication is happening
 - c) to use existing forms of words or other agreed text where possible to describe the Partnership's business in their own communications
 - d) to make the Partnership aware of inaccurate communication or reporting by others, so that the Partnership's view(s) can be clarified
5. Urgent communications. The Steering Group has the mandate to manage urgent communication issues on behalf of the Partnership, for example responding to media requests etc.

Membership and Participation

- 6. Representation. Partners are expected to *actively* represent their organisations. This means providing colleagues with updates on the Partnership's work (based on the Meeting Summaries) and feeding in their colleagues' views on issues under consideration by the Partnership. Individual partners should give consideration as to how this is best managed in their particular organisational circumstances.
- 7. Collaboration. Partners must be willing to develop and maintain a collaborative working spirit whilst recognising that differing views may exist.
- 8. Continuity and Substitution. It is highly desirable that each partner organisation designates a lead person to attend meetings so that continuity of membership is maintained. It is recognised that this may not always be possible so some degree of substitution may be required. Partners should be mindful of the impact this can have both on the effectiveness of meetings and their organisation's representation: it is the partners' responsibility to fully brief substitutes and obtain adequate debriefs in return.
- 9. Preparation. Partners are expected to have read papers circulated and be appropriately prepared by liaising with colleagues as necessary before meetings.

Meeting Conduct

- 10. Mobile phones to be switched off
- 11. Only one person to speak at a time
- 12. Listen respectfully even though you may disagree

Written Procedure (for Steering Group only)

- 13. There may be occasions where it is essential for the Steering Group to take a decision on a matter before its next scheduled meeting, but it is impractical to call a special meeting, for example the issue may be very urgent or not of great enough significance to warrant calling a specific meeting. In such cases, the "written procedure" may be invoked.
- 14. Each member of the Steering Group will be emailed a full statement outlining the following where appropriate:
 - the matter for decision and a deadline for response
 - the options under consideration

¹ For instance, speaking at a conference or mailing their membership/community and so on

- a recommendation for which option is supported, with a rationale
- supporting papers where relevant
- why written procedure is required
- implications of delays incurred by not using the written procedure in the specific case

15. The email will be flagged 'important' and have "Written Procedure - decision required by XXX" in the subject header.

16. If any Steering Group member responds in writing before the deadline objecting to the use of written procedure to arrive at the decision then the matter will be withdrawn from written procedure and referred to the next scheduled or special meeting. The email will invite members to approve or not approve the matter proposed, via email, by a date specified. If any member responds via email that they oppose the proposition, then it falls; it may, of course, be re-introduced at the next Steering Group meeting. If no written opposition is received by the date specified, the proposition is approved '*nem con*'.