

Summary of conclusions and decisions from the 81st meeting of the ESRF Council held in Grenoble on 28 and 29 November 2023

(as approved by the Chair)

Item 1 - Adoption of the agenda

The Council adopted the agenda for its 81st meeting as proposed by the Chair (ESRF/COUNCIL/23.28).

Item 2 - Minutes of the 80th meeting of the Council held in Grenoble on 19-20 June 2023

(a) APPROVAL

The Council approved the minutes of its 80th meeting held in Grenoble on 19-20 June 2023 (ESRF/COUNCIL/23.27, attached to ESRF/COUNCIL/23.29).

Item 2 - Minutes of the 80th meeting of the Council held in Grenoble on 19-20 June 2023

(b) MATTERS ARISING

The Council took note of the state of the matters arising from the minutes of the 80th meeting of Council, as listed in document ESRF/COUNCIL/23.30, and complemented orally by the Secretary of Council.

Item 3 - Report by the Chair of the Council

The Council took note of the oral report from the Council Chair.

Item 4 - Report by the Director General

The Council took note of the report from the Director General, as presented in his written report (ESRF/COUNCIL/23.32) and complemented orally.

Item 5 -Exchange with CSE delegation

The Council took note of the statements of the staff representatives and thanked them.

Item 6 - Scientific and Infrastructure matters

(a) ACCELERATOR AND SOURCE MATTERS

The Council took note of the oral report by Management, made in reference to the first section dedicated to Accelerator and Source Matters (pages 5-10) of the Director General's Report (ESRF/COUNCIL/23.32).

Item 6 - Scientific and Infrastructure matters

(b) REPORT BY THE CHAIR OF THE MACHINE ADVISORY COMMITTEE (MAC)

The Council took note of the MAC Report from the 19th MAC meeting on 07-08 November 2023 (attached to document ESRF/COUNCIL/23.35), complemented orally by the MAC Chair.

Item 6 - Scientific and Infrastructure matters

(c) EXPERIMENTAL PROGRAMME MATTERS

The Council took note of the oral report by Management, made in reference to the second section, dedicated to Experimental Programme matters (pages 11-50), of the Director General's Report (ESRF/COUNCIL/23.32).

Item 6 - Scientific and Infrastructure matters

(d) MEDIUM-TERM SCIENTIFIC PROGRAMME

The Council took note of the Medium-Term Scientific Programme (ESRF/SAC/87-03, attached to ESRF/COUNCIL/23.37), as commented orally by Management.

Item 6 - Scientific and Infrastructure matters

(e) REPORT BY THE CHAIR OF THE SCIENCE ADVISORY COMMITTEE

The Council took note of the SAC Report from the 87th SAC meeting held at the ESRF on 09-10 November 2023 (attached to document ESRF/COUNCIL/23.38), complemented orally by the SAC Chair.

Item 7 - Legal and procedural matters

(a) WRITTEN PROCEDURES - SETTLED

Referring to the document ESRF/COUNCIL/ESRF/23.39, the Council took note that, since its previous meeting, the following decision had been made by correspondence:

- *by the deadline of 17 August 2023, the proposed appointment of Jean Daillant as Director General of the ESRF for a period of five years starting on 01 September 2024, according to the terms laid out in the provided contract, as described in document ESRF/COUNCIL/23.04_WP, was approved unanimously.*

Item 7 - Legal and procedural matters

(b) STATUS OF ARRANGEMENTS WITH ASSOCIATES AND STATUS OF NEGOTIATIONS WITH OTHER POSSIBLE PARTNERS

The Council, referring to the table attached to the document ESRF/COUNCIL/23.40, took note of the status of the arrangements with Associates, as complemented orally by Management.

Item 7 - Legal and procedural matters

(c) EXTENSION OF THE CONTRACTS FOR THE OPERATION OF THE CRG BEAMLINES BM16 AND BM30

The Council approved, under the same terms and conditions as the previous operating contracts:

- the contract between the ESRF and CRG/FAME-UHD for the operation of BM16 from 15/07/2023 to 14/07/2028; and*
- the contract between the ESRF and CRG/FAME for the operation of BM30 from 01/01/2024 to 31/12/2028.*

Item 8 -Personnel matters and Committees (Restricted Session)

(a) OPERATION MATTERS

The Council, referring to the document ESRF/COUNCIL/23.42:

- *took note that:*
 - the ESRF budget has been heavily impacted by both the inflation peak in 2022 and 2023 and by the sharp increases of energy costs, materials, services and expert manpower, putting at stake the capacity of the ESRF to fully exploit the EBS and upgraded facilities, and to maintain its leadership in the years to come;*
 - as a consequence, the ESRF operation model is no longer sustainable with the present level of resources;*
 - Management, with advice from the AFC, SAC and MAC, has devised scaled-down operation scenarios compatible with present resources that strongly affect the ESRF's ability to deliver the expected service to the user community; and*
- *recognising the need to ensure that the ESRF-EBS maintains its global leadership, achieved with the collective effort of all partners, and recognising the extraordinary scientific yield of the ESRF-EBS for the benefit of the scientific community at large:*
 - agreed on the necessity to identify scenarios that enable the ESRF to fulfil its mission and to remain at the forefront of X-ray science;*

- *decided to constitute an ad-hoc working group to analyse the current investment capacity and the planned investment programme of the facility, notably in the 2025-2027 period, identify the priorities and mandatory investment projects required to ensure an optimal and sustainable exploitation of the ESRF-EBS, and the possible ways to finance the investments required, and to report to the Council at its next meeting in June; and*
- *agreed that the mandate, terms of reference and composition of the ad-hoc working group, which shall include the Chairs of AFC, MAC, SAC and Council, the Management and at least two representatives of the members' delegations, shall be submitted for approval by correspondence as soon as possible and ideally before the end of the present year.*

Item 8 -Personnel matters and Committees (Restricted Session)

(b) COUNCIL VICE-CHAIR BEYOND 2023

The Council approved, unanimously, the appointment of Olwyn Byron (UK delegation) as Vice-Chair Chair of the Council from 01 January 2024 to 31 December 2026.

Item 8 -Personnel matters and Committees (Restricted Session)

(c) RENEWAL OF THE ESRF MACHINE ADVISORY COMMITTEE (MAC) MEMBERSHIP FOR THE PERIOD 2024-2026

The Council:

- *appointed the proposed list of candidates to serve in the ESRF MAC for the period 01 January 2024 to 31 December 2026;*
- *approved the appointment of Pedro Fernandes Tavares, current MAC Vice-Chair, as MAC Chair for the period 01 January 2024 – 31 December 2026;*
- *charged the new MAC to identify and propose to the Council, for appointment by the spring 2024 at the latest, a minimum of two candidates from within the appointed members, who could serve as Vice-Chair to the MAC for the same period; and*
- *appointed the most senior from among the list of proposed members, as Acting MAC Vice-Chair, from 01 January 2024 until a new Vice-Chair is formally appointed.*

Item 8 -Personnel matters and Committees (Restricted Session)

(d) DIRECTORS' APPOINTMENTS

The Council approved the appointment of a Search Committee for the selection of the next Director of Research for Chemistry, Life and Medical Sciences and Soft Matter Science, and the terms of reference of the committee, as described in the document ESRF/COUNCIL/23.45.

Item 9 - Financial, personnel and commercial matters

(a) REPORT BY THE CHAIR OF THE ADMINISTRATIVE AND FINANCE COMMITTEE (AFC)

The Council took note of the report of the Chair of the Administrative and Finance Committee, who drew the attention of Council to the Summary of Conclusions of the 85th AFC meeting, held on 12-13 October 2023 (ESRF/AFC/23.24, attached to ESRF/COUNCIL/23.46).

Item 9 - Financial, personnel and commercial matters

(b) FINAL ACCOUNTS FOR THE FINANCIAL YEAR 2022

The Council, referring to document ESRF/AFC-AC/23.01, attached to ESRF/COUNCIL/23.49, and following the recommendation of the AFC, the Council:

- approved the final accounts for the financial year 2022; and*
- discharged the Director General with respect to the implementation of the budget for 2022.*

Item 9 - Financial, personnel and commercial matters

(c) EXPENDITURE SITUATION AT 31 AUGUST 2023 AND SECOND REVISION OF THE 2023 BUDGET

The Council, referring to document ESRF/AFC/23.18, attached to ESRF/COUNCIL/23.48, took note of:

- the expenditure and income situation at 31 August 2023, including the status of calls for funds and the cash flow situation; and*
- the transfers and other modifications decided by the Director General in accordance with his delegated authority, and with §§ 16.1, 16.6 and 16.7 of the Financial Rules.*

Item 9 - Financial, personnel and commercial matters

(d) LONG-TERM PLANNING (2023-2032)

The Council took note of the information presented in the document ESRF/AFC/23.19, attached to ESRF/COUNCIL/23.49, and complemented orally by Management.

Item 9 - Financial, personnel and commercial matters

(e) MEDIUM-TERM FINANCIAL ESTIMATES (2024-2028)

The Council, referring to the document ESRF/AFC/23.20, attached to ESRF/COUNCIL/23.50, took note of the summary by nature of expenditure of the Medium-Term Financial Estimates (including the Medium Term Scientific Plan), supplemented by the corresponding Staff Plan, for the period 2024 – 2028.

Item 9 - Financial, personnel and commercial matters

(f) PROPOSED BUDGET FOR 2024

The Council, referring to document ESRF/AFC/23.21 (attached to ESRF/COUNCIL/23.51_REV), approved the 2024 ESRF budget, based on an increase of contributions of 3% compared with 2023, providing for a planned expenditure budget of 116 649 k€ and contributions from Members and Scientific Associates/Associates of 105 004 k€.

Item 9 - Financial, personnel and commercial matters

(g) LEVEL OF CONTRIBUTIONS TO THE 2025 BUDGET

The Council took note that the planned expenditure budget for the year 2025, based on a 3% increase in 2024 contributions, amounts to 118 360 k€, requiring contributions from Members and Scientific Associates/Associates of 108 145 k€ (ESRF/AFC/23.22 attached ESRF/COUNCIL/23.52).

Item 10 - Any other business

(a) DATES OF THE NEXT COUNCIL MEETINGS

The Council:

- took note of the table attached to ESRF/COUNCIL/23.53_REV;*
- took note that its next meeting will take place on 25-26/06/2024 in Grenoble;*
- confirmed the date of its autumn 2024 meeting, to be held on 26-27/11/2024 in Grenoble;*
- reserved a date for its spring 2025 meeting (proposed date 24-25/06/2025), place to be confirmed;*
and
- reserved a date for its autumn 2025 meeting (proposed date 25-26/11/2025) to be held in Grenoble.*