

BREXIT UPDATE

Legal and Democratic Services Advisory Committee - 20 March 2018

Report of	Chief Executive
Status	For consideration
Key Decision	No

Portfolio Holder Cllr. Anna Firth

Contact Officer Margaret Carr, Ext. 7341

Recommendation to Legal and Democratic Services Advisory Committee:

To note the contents of the report.

Reason for recommendation: Assessing the impact of Brexit on the Council is part of an on-going role for the Chairman of the Legal and Democratic Services Advisory Group and supports Members in identifying any preparation that might be necessary to meet the challenges and opportunities ahead.

Introduction and Background

- 1 At the meeting on 23 January 2018, the Legal and Democratic Services Advisory Committee were provided with an update on the work of the Portfolio Holder and Officers on measuring the impact of Brexit on the council.
- 2 Members heard from Professor Amelia Hadfield, from the University of Christ Church, Canterbury, on the work by the university to assess the impact of Brexit on the rural economy and SMEs in Kent. Members were also advised at the meeting of the response that had been submitted by the Portfolio Holder to the Housing, Communities & Local Governments (HCLG) inquiry into the impact of Brexit on Local Government, and the work of officers on assessing some of the legislative changes that could occur as a result of leaving the EU.
- 3 This report updates Members of the Legal and Democratic Advisory Services Committee on further activity since that meeting.

Update on UK Government negotiations

- 4 On 18th January 2018, the UK/France Summit set out plans for closer co-operation and collaboration on migration and economic development in the Calais and Dover regions, at which, among other actions, both countries

signed a new treaty on migration management, promised loser joint working in defence, security, foreign policy, science and research and education, cultural and civic cooperation, and the UK promised a further £44 million to reinforce security around French channel ports and accommodation facilities outside the Calais and Dunkirk area.

- 6 Transition talks have been the focus of the next phase of negotiations. The UK has proposed a transition period (also referred to as an “Implementation Period”) of “around two years”, that is essentially full EU membership minus participation in EU decision-making bodies, offices and agencies. This means the UK could continue to participate in the Customs Union and the Single Market during the transition period but would have to apply EU law, and accept the jurisdiction of the European Court of Justice.
- 7 Formal talks on the framework for a future relationship can only begin after the next Heads of Government summit in March 2018.

Update on activity by Kent County Council (KCC)

- 8 Brexit was an agenda item on the Kent Policy Officers Network meeting held in Maidstone on 26 February 2018. At this meeting, KCC officers shared their current activity regarding preparation for Brexit.
- 9 In addition to on-going tracking of development in the negotiations KCC are providing informal briefings for Scrutiny Committee and Cabinet Members, and looking to analyse both the potential scale of workforce impacts for key sectors, and Kent businesses which are currently dependent on EU trade but could explore other new domestic and international trade opportunities. They are also seeking Kent’s business community perspective on business resilience and sector impacts, and seeking to influence the forthcoming Shared Prosperity Fund which will replace current EU funding programmes.

District Councils Network (DCN)

- 10 Officers contacted the DCN in February to find out what additional activity they may have planned regarding Brexit and the HCLG Inquiry into Brexit. The Director of the DCN was clear that “now was not the right time to speak in a different voice from that of the LGA” and that they were supporting the LGA’s approach and identification of challenges and opportunities.

HCLG Inquiry into Brexit and Local Government

- 11 On 15 January 2018 The Secretary of State for Housing, Communities and Local Government responded to the Committee Chair’s letter of 18 December 2017, summarising the main findings of the evidence thus far. The response letter is provided as a background document to this report.
- 12 Officers contacted the Committee Clerk to find out what, if any, additional oral evidence they were seeking to hear as part of the on-going inquiry. The Committee’s intention is to hear next from an urban/city perspective,

and subsequently a rural/semi-rural one; however, the Committee have not yet decided who to call for these sessions, nor released any dates.

Sevenoaks Business Survey

- 14 Officers have drafted a survey to enable businesses in the district to give their views about the challenges and opportunities for Brexit which will be distributed as part of RealBusiness, the council's e-bulletin for employers in the district. The Portfolio Holders for Legal & Democratic Services and Economic & Community Development have provided helpful commentary on the draft survey. It is anticipated that this will be distributed towards the end of March with results available from early June.

Key Implications

Financial

N/A

Legal Implications and Risk Assessment Statement.

N/A

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Conclusions

There is still significant progress to be made by the UK Government on both the deal to leave the EU, the nature of the "Implementation Phase" and the UK's future trading relationship with Member states. Officers will continue to track the progress of the negotiations and the work of the HCLG Committee Inquiry; continue to liaise with the LGA and KCC regarding Brexit research or analysis that could affect local government and share the results of the survey of Sevenoaks Businesses when it has concluded.

Background Papers

<http://www.parliament.uk/documents/commons-committees/communities-and-local-government/Correspondence/Letter-from-the-SoS-for-Housing-Communities-and-Local-Government-relating-to-Brexit-and-local-government-15-January-2018.pdf>

Dr Pav Ramewal
Chief Executive