

## BREXIT UPDATE

### Legal and Democratic Services Advisory Committee - 22 January 2019

Report of Chief Executive

Status For Information

Key Decision No

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Portfolio Holder Cllr. Anna Firth

Contact Officer Margaret Carr Ext. 7341

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#### Recommendation to Legal and Democratic Advisory Committee:

The Brexit Update report is noted.

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

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#### Introduction and Background

- 1 This is the fifth report updating Members of the Legal and Democratic Services Advisory Committee on Brexit. It aims to identify any actions or preparation that might be necessary for the Council and the District in order to meet the challenges, and to maximise the opportunities, of the UK leaving the EU. Previous reports are available in the background papers to this meeting.
- 2 This report updates Members on the latest events in relation to the UK Government's preparations for Brexit, the work of the LGA and the MHCLG.

#### UK-EU Negotiations

- 3 Since the last report, agreement has been reached by both the Government, and the EU on a Withdrawal Agreement (WA) and a Political Declaration (PD). At the time of writing, the "Meaningful Vote" promised to Parliament was scheduled to take place in the week beginning 15 January 2019, having been postponed from the original date of 11 December 2018. The principle issue with the WA and PD is with the status of the "backstop" in relation to avoiding a hard border between the Irish Republic and Northern Ireland.

## Local Government

- 4 The previous report to the Legal and Democratic Services Advisory Committee referred to the 'Post-Brexit England Commission' established by the Local Government Association, with the aim of presenting solutions to issues raised by Brexit for Local Government and chaired by Mark Hawthorne, the leader of Gloucestershire County Council.
- 5 The Commission has been holding a series of Regional Roadshows to gain the views of councils across the country; the south east roadshow took place on Tuesday 18 December and was attended by the Portfolio Holder, and by the Policy Officer in the Transformation and Strategy Team.
- 6 The Freight Transport Association (FTA) was one of a number of organisations and sectors presenting to this event. The Chairman of the Legal and Democratic Services Advisory Committee subsequently invited the FTA to present to the Committee this evening regarding the potential impact of Brexit on the county.
- 7 The event also heard presentations on infrastructure and skills, and an overview of the opportunities and challenges posed by Brexit. Once all the regional roadshows have taken place, the LGA will produce a final report early in 2019, based on the evidence and solutions they have heard.
- 8 The Ministry for Housing, Communities and Local Government also held a series of regional events in order to engage the local government sector and update them on the planning that is taking place across government departments. The south east event included presentations by the Department for Exiting the European Union, the Cross Government Border Delivery Group, the Office for Product Safety and Standards, the Food Standards Agency, DEFRA and the EU Settlement Scheme.
- 9 It was acknowledged that councils would be affected by immigration, funding and rural issues amongst other factors, and potentially a wider range of impacts in the event of No Deal.
- 10 Government has already issued a number of technical notices for businesses across a significant variety of sectors and scenarios including No Deal, as well as a Partnership Pack from HMRC. It was acknowledged that smaller businesses would benefit from this guidance being simplified wherever possible, and there was an undertaking for all relevant local government issues related to Brexit would be available through a single portal on the gov.uk website early in 2019.
- 11 It was also felt that once the WA and PD were agreed there would be the opportunity for local government to shape the expansion of each where appropriate, such as in services, fisheries, other aligned trade regulations and to respond to consultations on the Agriculture Bill and Shared Prosperity Fund.

- 12 The Home Secretary launched the Immigration White Paper on 19 December 2019 outlining the Government's plans following the end to free movement and the need to meet skills gaps in the UK.

### Commentary

- 13 The Meaningful Vote will have taken place by the time of the Advisory Committee meeting on 22 January 2019. Should no political agreement be reached by Parliament, Government is required to make a statement about its intentions within 21 days. Parliament must then vote on a motion based on that statement within 7 sitting days. If this is rejected, the current position is that the UK will leave without a deal on 29 March 2019.
- 14 Council Officers will continue to monitor the situation and report back as necessary.

### Key Implications

#### Financial

There are no financial implications for this report

#### Legal Implications and Risk Assessment Statement.

There are no legal implications for this report

#### 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.

**Appendices** None

**Background Papers** **Report to Legal and Democratic Services Advisory Committee, January 2018**

<http://cds.sevenoaks.gov.uk/documents/s32939/06%20Brexit%20Committee%20Report%20January>

**Report to Legal and Democratic Services Advisory Committee, March 2018**

<http://cds.sevenoaks.gov.uk/documents/s33721/08%20Brexit%20Update.pdf?J=1>

**Report to Legal and Democratic Services Advisory Committee, June 2018**

<https://cds.sevenoaks.gov.uk/ieListDocuments.aspx?CId=325&Mid=2287&Ver=4&J=2>

**Report to Legal and Democratic Services Advisory Committee,  
October 2018**

<https://cds.sevenoaks.gov.uk/ieListDocuments.aspx?CId=325&MId=2288&Ver=4&J=1>

**Dr Pav Ramewal  
Chief Executive**