

Brexit Committee

Thursday, 8th November, 2018

MEETING OF BREXIT COMMITTEE

Members present: Councillor Walsh (Chairperson);
Aldermen Kingston and McGimpsey;
Councillors, Beattie, Campbell, Canavan,
Carson, Dudgeon, Hutchinson, Lyons, McAteer, Nichol and
O'Hara.

In attendance: Mr. N. Grimshaw, Strategic Director of City and
Neighbourhood Services;
Mr J. Walsh, City Solicitor;
Ms G. Long, Commissioner for Resilience;
Ms K. Walsh, Business, Research and Development
Manager;
Mr J. Greer, Economic Development;
Mr D. Connolly, Environmental Health Manager,
Mr. J. Hanna, Senior Democratic Services Officer; and
Miss C. Donnelly, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported from Alderman Spence and
Councillors Attwood, McAllister, Pankhurst and Reynolds.

Minutes

The minutes of the meeting of 11th October were taken as read and signed as
correct. It was reported that those minutes had been adopted by the Council at its
meeting on 1st November.

Declarations of Interest

No declarations of interest were recorded.

Meetings of the Brexit Committee - 2019 Dates

The Committee agreed the following proposed dates of the meetings of the
Brexit Committee for the period between January and April, 2019:

- Thursday 10th January, 2019;
- Thursday 14th February, 2019;
- Thursday 21st March, 2019;
- Thursday 11th April, 2019.

All meetings would commence at 4.30pm.

Update on Technical Reports relating to Food Controls

(Mr D. Connolly, Environmental Health Manager, attended in connection with this item.)

The Committee considered the following report:

“1.0 Purpose of Report or Summary of main Issues

The purpose of this report is to update Members on the recently released technical reports relating to food controls including imports and the potential implications on food businesses and the Council’s Food Safety and Port Health Regulatory functions.

2.0 Recommendations

The Committee is asked to note the update provided.

3.0 Main report

Key Issues

To date 13 technical notes relating specifically to areas of the UK’s food industry have been produced by the UK Government. A list of these with links to access them is attached as appendix 1.

Current food import controls

3.2 The current regime for the importation of foods into the UK is regulated by EU legislation. Foods can currently freely move between EU countries without any restrictions or checks being required at national borders.

3.3 For food imports into the EU from countries outside the EU (3rd country imports), currently all high risk foods, including all animal products and other specified high risk foods not of animal origin, must be notified to the EU using the EU’s database the Trade Control and Expert System (TRACES) prior to import. These high risk foods can only enter the UK/EU at approved points of entry, with the necessary facilities and qualified staff to carrying the required checks on foods.

3.4 Within NI the Council’s Port Health facility is the only approved sea point of entry for high risk foods into the EU. It is approved for the importation of frozen meat, frozen fish,

high risk foods, plastic kitchen ware and organic foods with imported foods destined throughout the Island of Ireland.

- 3.5 There are many goods originating from 3rd countries which enter the EU through another member state and are then transited towards the UK, these foods currently are checked at the first point of entry into the EU and can then move freely into the UK without the need to be rechecked at the UK border.
- 3.6 The majority of 3rd country food imports are however not high risk and whilst they must meet EU standards they can enter at any location, do not have to be pre notified and are not subject to predetermined checks on entry. However, across the EU, food authorities at ports do monitor the low risk foods being imported and carry out sample checks on such foods at points of entry and inland. Non-compliant foods may then be removed from the market and information is shared between member states on an EU data base, the Rapid Alert System for Food and Feed (RASFF) to ensure individual states can take follow up action to protect consumer safety.

Potential food import controls post Brexit

- 3.7 The UK government is hoping to reach a deal with the EU that will minimise the impact on trade, share EU food safety databases and avoid the need for additional regulatory checks. Depending on the specific agreements reached the impact on Port Health and Food Control may range from none to some changes in legal requirements and the checks required. Whilst the UK government anticipates a good deal for the UK and the EU, it is preparing for what it sees as an unlikely scenario of leaving the EU with 'no deal'. This paper considers the impact of that worst case scenario from a food regulatory perspective and the impact that might have on council's food control services.
- 3.8 The UK government has already through The European Union (Withdrawal) Act 2018 provided for all existing EU legislation to be converted on exit into UK law, so maintaining the current high standards of food safety and ensuring on day one the regulatory alignment likely to be required to negate the need for food safety checks as foods move between the UK and the EU. It is therefore envisaged there will be no additional import controls initially required for imports of food into the UK from the EU. This is highly significant, ensuring no additional resource demand on Council Port Health/Food Safety function. The UK would require importers of high risk foods from the EU to pre-notify the Food Standards Agency. In the longer term this situation

may change particularly if future changes to EU legislation or UK legislation create differences in safety standards.

- 3.9** In a no deal scenario it is likely that high risk foods transiting the EU on way to the UK would not be checked at point of entry into the EU by other member states and therefore will need to be checked as they enter the UK. This could increase the number of consignments requiring import control checks at Belfast Port. A snap survey over a month was recently carried out by Port Health staff working with the FSA and showed few high-risk foods transiting the EU and entering the UK via Belfast Port. This is reassuring, however, we have no data on the volumes of high risk imports from 3rd countries transiting the Republic of Ireland and which could post EU exit be sent to Belfast inspection facility for checking. We are currently working with the FSA to see if some data can be captured to estimate potential quantities. Whilst the need for additional checks cannot be ruled out, at this stage, we do not expect a large increase in workload and are confident that our facilities and trained staff have sufficient capacity to carry out the work. Imported food checks are carried out on a cost recovery basis so the cost of any additional work should be offset with increased income.
- 3.10** It is also likely that some trade currently through the port of Belfast destined for ROI will divert to ROI ports to avoid transiting goods into the EU via the land border.
- 3.11** In the event the UK leaves the EU without a deal in place, the EU will not permit the UK to use TRACES or RASSF systems and so the UK government is currently developing alternative systems for pre-notification of imports and sharing information. It plans to have these systems operational from day one. Council officers will have to be familiar with these new systems and may have to assist businesses in familiarising themselves.
- 3.12** Implications for UK food producers and exporters
- EU exit will also have significant implications for Northern Ireland's food producers/exporters. It is anticipated that in a no deal scenario they may need to meet EU third country import requirements (as outlined above). The council's food control service will if necessary provide information and guidance to food businesses to help them understand changes in requirements.
- 3.13** It is possible that the EU, including the Republic of Ireland, may require some sort of approval of export producers of

high risk foods and potentially require food authorities to certify consignments of foods being exported as meeting EU requirements. This could have a significant impact on some councils who have large numbers of manufacturers regularly exporting high risk foods to the EU, however, few such businesses are located in Belfast and the impact on our service is not expected to be great. We are planning to survey our manufacturing premises to establish export volumes and estimate demand.

3.14 Current food labelling requirements will be particularly affected in a no deal scenario and manufacturers will have to change food labels, for example:

- the use of the term 'EU' in origin will no longer be correct for food or ingredients from the UK;
- EU organics logos would need to be removed from packaging; and
- Currently foods labels must have the name and address of a responsible EU food business, after EU exit products sold in the UK will need to include a UK food businesses details e.g. the UK importer and products being exported to EU will need details of an (non UK) EU food business
- Health marking of products of animal origin will also be affected

3.15 Certain foods/premises also currently undergo specific approvals to be able to be place food on the market across the EU, including meat, fish, egg, cheese and milk products, natural mineral waters, organic products, GM foods etc. In a no deal scenario the EU may require the UK to apply to the EU for the approval of UK establishments to export to the EU. The processing of third country applications takes time and cannot be made until after the UK leaves the EU, therefore this could significantly interrupt trade.

3.16 Furthermore, animal products from approved premises must carry an appropriate health and identification mark which the UK would not be entitled to use in a no-deal scenario and the UK would have to design a new replacement health mark. This will require businesses to run down existing stocks of packaging and labelling bearing the health mark and replace with new.

3.17 Small and medium sized foods businesses do rely heavily on local authority food officers to provide them with information and advice on legal requirements including labelling. We will

as necessary work to support all our food businesses to ensure compliance, approve premises and certify exports.

It is clear that some additional work may be required in preparation, on exit and in the future. It is impossible at this time to accurately estimate the amount of resources required in the absence of reliable trade data, uncertainty over the type of deal that will be negotiated and the processes that shall be developed by UK government departments as a result. However it is anticipated that EU exit will not have a large impact on required resources and can be delivered within existing departmental budgets.

Officers will continue to work with government departments to share information and day one plans. Officers are represented on the UK Port Health Authorities Border Planning Group which will help to influence decisions and share information. This group is made up of representatives from government, FSA, DEFRA and mainland Port Health Authorities to discuss EU exit arrangements.

3.18 Financial & Resource Implications

Some officer time shall be required to prepare for a no deal scenario and potentially to implement additional food safety checks on exit. The extent of additional checks shall depend on what is agreed by the EU and the UK government. It is anticipated that some of the work would be offset by additional income and the work will be adequately resourced within the existing departmental budget allocation.

3.19 Equality or Good Relations Implications/Rural Needs Assessment

There are no implications relating to this report.”

The Environmental Health Manager provided the Members with an update on the potential implications, following the release of the technical reports, on the Council's Food Safety and Port Health regulatory functions.

Noted.

Correspondence received from DExEU in response to Letter from Belfast City Council - The People's Vote

The Committee was reminded that the Council, at its meeting on 1st October 2018, had agreed to write to the Secretary of State and to the Prime Minister expressing its support for the growing demand for a People's Vote on the final Brexit deal, where no deal had been negotiated and in both cases remaining in the EU must be an option.

In response to the agreed correspondence, a letter dated 25th October 2018, was received from the Department for Exiting the European Union, on behalf of the Prime Minister. The letter outlined the following:

- That the current government would never accept a second referendum;
- The referendum on 23rd June 2016 saw the highest number of votes cast in electoral history, indicative of a clear instruction from the British people, which the Government was committed to deliver;
- Throughout exit negotiations, the UK Government had been clear regarding its unwavering commitment to upholding the Belfast (Good Friday) Agreement, in all its parts;
- That the UK Government had committed, in paragraph 53 of the December 2017 Joint Report, to ensuring that no diminution of rights is caused by the UK's departure from the European Union;
- Both the UK and the EU share responsibility to reserve the Belfast (Good Friday) Agreement;
- That no UK Prime Minister could accept a solution for Northern Ireland that involved an internal customs border separating one part of the UK from the rest; and
- That significant progress had been made regarding the Withdrawal Agreement and negotiations on the future relationship between the UK and EU.

The Committee noted the correspondence received from The Department of Exiting the European Union.

Correspondence Received -
Queen's University Expert Panel

The Committee was advised that the Chief Executive had received a letter dated 9th October from Ms Wendy Galbraith, Registrar and Chief Operating Officer at Queen's University.

In the letter, Ms Galbraith had commended Belfast City Council for establishing a Brexit Committee and highlighted the contribution Queen's University had made to the Brexit debate by holding seminars, workshops and by and providing briefings to political representatives.

Ms Galbraith had indicated that her academic colleagues would be eager to act as a resource to the Committee and suggested forming an 'expert panel' to advise the Committee on specific issues that relate to their ongoing work.

The Committee agreed to share the findings of the Brexit Workshop, which had been held on 30th October 2018, with Queen's University and to invite representatives to attend a future meeting of the Brexit Committee to discuss the proposal of forming an expert panel.

**Internal Audit on the Potential Impact of
Brexit -Day 1 Preparedness**

The Committee considered the following report:

“1.0 Purpose of Report or Summary of main Issues

The purpose of this report is to outline for Members work that is currently being undertaken in relation to the Council’s Brexit Day 1 preparedness.

2.0 Recommendations

The Committee is asked to note this update.

3.0 Main report

Key Issues

Members may be aware that officers have recently undertaken an internal audit to identify potential Day 1 service implications in relation to Brexit. This audit has identified that there are several key areas where there may be a potential impact in the event of a no deal Brexit. However further scoping work is required to define the potential Day 1 impacts, risks and possible mitigations. These areas include HR, finance/funding, procurement, waste, port health, product safety, communications and business continuity management.

Officers are currently undertaking this work and it is anticipated that it will be completed by mid-December. It is likely that further work may be required as a result of the findings of this scoping exercise and that it will also be influenced by the wider developments that are taking place in relation to Brexit. An update on this work will be brought to the Committee in the New Year.

Financial & Resource Implications

There are no financial implications relating to this report but the work that is being undertaken to further define potential day 1 impacts, risks and mitigations may have financial and resource implications and these will be reported to Members as required.

Equality or Good Relations Implications/Rural Needs Assessment

There are no implications relating to this report.”

Noted.

Update on External Stakeholder Workshop

The Committee considered the following report:

“1.0 Purpose of Report or Summary of main Issues

The purpose of this report is to update Members on the workshop that was held to help identify the potential impact of Brexit on external organisations in the City.

2.0 Recommendations

Members are asked to note the update.

3.0 Main report

Key Issues

Members are reminded that in September the Brexit Committee agreed to the holding of an external workshop regarding the potential impact of Brexit on a range of sectors including businesses and community organisations.

A workshop was held on Tuesday 30th October from 9.30-12.30 in the Banqueting Hall. 24 representatives from various external organisations and six councillors were in attendance. The sectors represented included higher education, health, industry and the community and voluntary sector.

The format of the event was an externally facilitated round table discussion with two discussion topics:

- What are the potential issues, concerns and opportunities from Brexit for your sector?
- What should we be doing as a City to address concerns and maximise opportunities?

Officers took detailed notes at each table and participants were also offered the opportunity to provide feedback through a form or via a mobile app being used on the day.

This information is currently being collated and it is planned to table a more detailed report at the Committee meeting.

At the end of the workshop, participants were asked to submit, via the mobile app, 3 words that summed up their thoughts on Brexit. The words submitted were turned into a word cloud and a copy of this is attached as appendix 1. The larger the word the more it was quoted and Members will see that 'uncertainty' was the most quoted word.

Financial & Resource Implications

There are no implications relating to this report.

Equality or Good Relations Implications/Rural Needs Assessment

There are no implications relating to this report."

The Committee noted the contents of the report and, after discussion, agreed that the Strategic Director of City and Neighbourhood Services would bring a report back to the Committee regarding the Inter trade Voucher Scheme, and potential engagement with the Youth Forum in relation to Brexit.

Update on Visit to Brussels

The Committee noted the verbal update from the Strategic Director of City and Neighbourhood Services who outlined scheduling options available to the delegation to permit the most auspicious itinerary during the visit.

The Committee agreed to the option for the delegation to travel during the week commencing 10th December 2018 and that the Democratic Services Officer would write to the Party Group Leaders to inform them of the decision and to request a nomination for the delegation from each party.

Chairperson