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Democratic Services Section Chief Executive's Department Belfast City Council City Hall Belfast BT1 5GS



Belfast City Council

2nd November, 2018

MEETING OF BREXIT COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Thursday, 8th November, 2018 at 4.30 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

- 1. Routine Matters
 - (a) Apologies
 - (b) Minutes
 - (c) Declarations of Interest
- 2. Meetings of the Brexit Committee 2019 Dates (Pages 1 2)
- 3. Update on Technical Reports relating to Food Controls (Pages 3 12)
- 4. Correspondence received from DExEU in response to Letter from Belfast City Council The People's Vote (Pages 13 20)
- Internal Audit on the Potential Impact of Brexit -Day 1 Preparedness (Pages 21 22)
- 6. Update on External Stakeholder Workshop (Pages 23 28)
- 7. Update on Visit to Brussels (To Follow)



Agenda Item 2



Belfast City Council

Subject:	Schedule of Meetings 2019
Deter	Oth Nevember 2010
Date:	8th November, 2018
Reporting Officer:	Miss. C. Donnelly, Democratic Services Officer. Ext. 3494
Contact Officer:	Miss. C. Donnelly, Democratic Services Officer. Ext. 3494

Restricted Reports			
Is this report restricted?	Yes	No	x
If Yes, when will the report become unrestricted?			
After Committee Decision			
After Council Decision			
Some time in the future			
Never			

Call-in	
Is the decision eligible for Call-in?	Yes X No

1.0	Purpose of Report or Summary of main Issues
	To advise the Committee of the dates and times of the meetings of the Brexit Committee from January to April 2019.
2.0	Recommendations
	The Committee is requested to approve the schedule of meetings for the Brexit Committee from January to April 2019.
3.0	Main report
	Key Issues Members will be aware that the monthly meeting of the Brexit Committee is normally held at 4.30pm on the 2nd Thursday of each month.

	 However, due to holiday periods and the timing of the monthly Council meetings and, in order to assist with the decision-making process, it has been necessary on occasions to move some of the meetings to earlier or later in the month. Accordingly, the following dates have been identified for meetings of the Brexit Committee for the period from January to April, 2019: Thursday 10th January, 2019; Thursday 14th February, 2019; Thursday 21st March, 2019; Thursday 11th April, 2019.
	(All meetings will commence at 4.30pm)
	Financial & Resource Implications None associated with this report.
	Equality or Good Relations Implications
	None associated with this report.
4.0	Appendices – Documents Attached
	None associated with this report.

Agenda Item 3



Belfast City Council

Subject:	Update Regarding Technical Reports Relating to Food Controls Including Imports
Date:	8th November 2018
Reporting Officer:	Nigel Grimshaw, Strategic Director City & Neighbourhood Services
Contact Officer:	Damian Connolly, Environmental Health Manager, ext 3361

Restricted Reports		
Is this report restricted?	Yes No	x
If Yes, when will the report become unrestricted?		
After Committee Decision		
After Council Decision		
Some time in the future		
Never		

Call-in	
Is the decision eligible for Call-in?	Yes X No

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.
3.2	Current food import controls 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

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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
4.0	Appendices
	Appendix 1 – List of technical notices relating to food controls

List of technical notices relating to food controls

FSA Notices

- Importing high-risk food and animal feed
- Health marks on meat, fish and dairy products
- Exporting GM food and animal feed products

Defra notices relating to food:

- Producing and labelling food
- Importing animals and animal products
- Exporting animals and animal products
- Producing and processing organic food (including labelling)
- Developing genetically modified organisms (GMOs)
- <u>Regulation of veterinary medicines</u>
- Producing food products protected by a 'geographical indication'
- <u>Control on persistent organic pollutants</u>
- Commercial fishing
- <u>Regulating pesticides</u>

Agenda Item 4



Belfast City Council

	Correspondence Received in Response to Motion – The People's
Subject:	Vote.
Date:	8th November 2018
Reporting Officer:	Carolyn Donnelly, Democratic Services Officer
Contact Officer:	Carolyn Donnelly, Democratic Services Officer

Restricted Reports		
Is this report restricted?	Yes No	x
If Yes, when will the report become unrestricted?		
After Committee Decision		
After Council Decision		
Some time in the future		
Never		

Call-in	
Is the decision eligible for Call-in?	Yes X No

1.0	Purpose of Report or Summary of main Issues		
	The Council, at its meeting of 1st October 2018, 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.		
	A letter dated 25th October 2018, was subsequently sent to both the Secretary of State and the Prime Minister (attached at Appendix 1). A response dated 25th October 2018, was received from the Department for Exiting the European Union (DExEU), on behalf of the Prime Minister (attached at Appendix 2).		

2.0	0 Recommendations				
	Members are asked to note the correspondence.				
3.0	Main report				
	Key Issues At its meeting in October, the Council agreed that the decision of the Brexit Committee of 20th September, under the heading "Motion Brexit – The People's Vote", be amended to read as follows "This Council acknowledges the result of the EU Referendum of June 2016, recognises that the majority of people in Northern Ireland voted to remain and asserts that no one in Belfast voted for a bad deal, or no deal, that could wreck our economy and jeopardise our peace process. The Council agrees 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 has been negotiated and in both cases remaining in the EU must be an option based on the bottom line which has been expressed by the majority of elected MLAs which				
	 supports: no diminution of Human Rights and equality provisions which must be protected; we cannot withstand exclusion from the single market or customs union; that we must protect the Good Friday Agreement in all of its parts; and that the backstop agreed by both the British Government and the EU27 is the bottom line in order to safeguard our political and economic stability now and for the future." 				
	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 				
	the December 2017 Joint Report, to ensuring that no diminution of rights is caused by the UK's departure from the European Union;				

4.0	Equality or Good Relations Implications/Rural Needs Assessment There are no implications relating to this report. Appendices Appendix 1: Letter to Prime Minister dated 10th October, 2018	
	Financial & Resource Implications There no financial implications relating to this report.	
	 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. 	

Chief Executive's Department Democratic Services

Your reference

Being dealt with by: Mrs. S. Steele

Our reference SS/NOM

Ext. 6301

Date 10th October, 2018

The Rt. Hon Theresa May M.P. House of Commons London SW1A 0AA

Dear Prime Minister,

Belfast City Council, at its meeting on 1st October, passed the following motion which had been proposed by Councillor Nicholl and seconded by Councillor Garrett:

Brexit Motion

"This Council acknowledges the result of the EU Referendum of June 2016, recognises that the majority of people in Northern Ireland voted to remain and asserts that no one in Belfast voted for a bad deal, or no deal, that could wreck our economy and jeopardise our peace process.

The Council agrees 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 has been negotiated and in both cases remaining in the EU must be an option – based on the bottom line which has been expressed by the majority of elected MLAs which supports:

- No diminution of Human Rights and equality provisions which must be protected
- We cannot withstand exclusion from the single market or customs union
- That we must protect the Good Friday Agreement in all of its parts
- That the backstop agreed by both the British Government and the EU27 is the bottom line in order to safeguard our political and economic stability now and for the future."

As called for within the motion, I have written also to The Rt. Hon. Karen Bradley MP, Secretary of State for Northern Ireland.

Yours sincerely,

Democratic Services Officer

Democratic Services Section **Belfast City Council,** Chief Executive's Department City Hall, BELFAST BT1 5GS Tel: 028 9032 0202 Textphone: 028 9027 0405 Fax: 028 9050 2999 Email: democraticservices@belfastcity.gov.uk

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Appendix 2



Correspondence Unit 9 Downing Street London SW1A 2AG correspondence@dexeu.gov.uk www.gov.uk

You can follow DExEU on Twitter: @DExEUgov

Mrs S. Steele Democratic Services Officer Belfast City Council Chief Executive's Department City Hall, Belfast BT1 5GS

> Your ref: SS/NOM Our ref: PM/0077

25 October 2018

Dear Mrs Steele,

Thank you for the letter of 10 October regarding Belfast City Council's concerns over the final deal in relation to our exit from the European Union. We are responding on behalf of the Prime Minister.

We have been very clear that this government will never accept a second referendum. The referendum on 23 June 2016 saw the highest number of votes cast in UK electoral history. Almost three quarters of the electorate took part in the referendum, resulting in 17.4 million votes to leave the European Union. This was a clear instruction from the British people, which the Government is committed to deliver upon.

Parliament also overwhelmingly confirmed the result of the referendum by voting with clear and convincing majorities in both of its Houses for the European Union (Notification of Withdrawal) Bill. Further still, at the last general election, over 80% of British people voted for parties committed to respecting the result.

Throughout the Exit negotiations, the UK Government has been clear about its unwavering commitment to upholding the Belfast (Good Friday) Agreement in all its parts. Guarantees of equality and rights, which recognise the unique circumstances of Northern Ireland, are a fundamental part of the Belfast (Good Friday) Agreement, and we acknowledge that EU law, particularly on protection from discrimination, has formed part of the framework for delivering those guarantees.

In this context, the UK committed, in paragraph 53 of the December 2017 Joint Report, to ensuring that no diminution of rights is caused by its departure from the EU, including in the area of protection against forms of discrimination enshrined in EU law. The 'no diminution' commitment, which we will be reflected in legal text in the Northern Ireland/Ireland Protocol to the draft Withdrawal Agreement, means that the rights, safeguards and equality of opportunity provisions set out in the Belfast Agreement, insofar as they are enforceable in domestic law in Northern Ireland on Exit **Gag** ant by be diminished as a result of UK Exit.

On the backstop, the proposals we have put forward for our future economic relationship would allow both sides to meet our commitments to the people of Northern Ireland in full, and we are working hard to get a deal on that basis. The proposals maintain frictionless trade and remove the need for checks between the UK and the EU.

Whilst we remain committed to resolving the Northern Ireland border through our overall economic relationship, the backstop is a critical issue. There must be a legally operative backstop in the Withdrawal Agreement - and one that is fully consistent with all the commitments made in the Joint Report. Both the UK and the EU share a profound responsibility to ensure the preservation of the Belfast/Good Friday agreement, protecting the hard-won peace and stability in Northern Ireland and ensuring that life continues essentially as it does now.

We have always been clear that we cannot break up the UK customs territory. No UK Prime Minister could accept a solution for Northern Ireland that involves an internal customs border separating one part of the UK from the rest. Doing so would undermine the constitutional and economic integrity of the UK, and it would go against the clear commitment made in December's Joint Report to protect Northern Ireland's place in the UK internal market.

The Government is continuing to work with our European partners to secure a deal that is in the best interests of the country. Negotiations are progressing well and the shape of a deal across the vast majority of the Withdrawal Agreement is now clear.

We also have broad agreement on the structure and scope of the framework for our future relationship, with progress on issues like security, transport and services. We have made real progress in recent weeks on both the Withdrawal Agreement and the political declaration on our future relationship. Perhaps most significantly, we have made progress on Northern Ireland, on which the EU has been working with us to respond to the very real concerns we had about its original proposals.

There is no doubt that a good deal is the best outcome for both sides and we are working to ensure we get that good deal within the timetable that enables us to leave the EU on 29 March 2019.

Thank you again for taking the time to write.

Yours sincerely, DExEU Correspondence Team





Update on Brexit Day 1 preparedness
8 th November 2018
Nigel Grimshaw, Strategic Director City & Neighbourhood Services
Kim Walsh, Business, Research & Development Manager, City & Neighbourhood Services.
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Restricted Reports		
Is this report restricted?	Yes No	x
If Yes, when will the report become unrestricted?		
After Committee Decision		
After Council Decision		
Some time in the future		
Never		

Call-in				
Is the decision eligible for Call-in?	Yes	x	No	

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.
Appendices
None





Subject:	Update on external workshop on the potential impact of Brexit
Date:	8th November 2018
Reporting Officer:	Nigel Grimshaw, Strategic Director City & Neighbourhood Services
	Kim Walsh, Business, Research & Development Manager, City &
Contact Officer:	Neighbourhood Services.

Restricted Reports		
Is this report restricted?	Yes No	x
If Yes, when will the report become unrestricted?		
After Committee Decision		
After Council Decision		
Some time in the future		
Never		

Call-in	
Is the decision eligible for Call-in?	Yes X No

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 worksho	op was held on Tuesday 30 th October from 9.30-12.30 in the Banqueting Hall. 24		
representa	atives from various external organisations and six councillors were in attendance.		
The secto	The sectors represented included higher education, health, industry and the community		
and volun	and voluntary sector.		
The forma	t of the event was an externally facilitated round table discussion with two		
discussior	discussion topics:		
	nat are the potential issues, concerns and opportunities from Brexit for your ctor?		
	nat should we be doing as a City to address concerns and maximise portunities?		
Officers to	ook 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		
informatio	n is currently being collated and it is planned to table a more detailed report at		
the Comm	nittee meeting.		
At the end	l of the workshop, participants were asked to submit, via the mobile app, 3 words		
that summ	ned 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 an	d Members will see that 'uncertainty' was the most quoted word.		
Financial	& Resource Implications		
There are	no implications relating to this report.		
Equality o	r Good Relations Implications/Rural Needs Assessment		
There are	no implications relating to this report.		
Appendic	es		
Appendix	1 - Wordcloud		

Three words that sum up your thoughts on Brexit

