

Brexit Committee

Thursday, 20th June, 2019

MEETING OF BREXIT COMMITTEE

Members present: Councillor de Faoite (Chairperson);
Aldermen Haire and Rodgers; and
Councillors D. Baker, Brooks, Canavan, Michael Collins,
Flynn, Harvey, Hutchinson, Long, McAteer, McLaughlin,
Newton and Walsh.

In attendance: Mr. J. Walsh, City Solicitor;
Ms. G. Long, Commissioner for Resilience;
Ms. K. Walsh, Business, Research and Development
Manager; and
Mr. H. Downey, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported on behalf of Councillors Magennis, McAllister and McKeown.

Minutes

The minutes of the meeting of 11th April were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 29th April.

Declarations of Interest

No declarations of interest were reported.

Schedule of Meetings

The Committee approved the following schedule of meetings for the remainder of 2019 and agreed that meetings should, in future, commence at 5.15 p.m.:

- Thursday, 22nd August;
- Thursday, 12th September;
- Thursday, 10th October;
- Thursday, 21st November; and
- Thursday, 5th December.

Update on Brexit Committee Activity

The Committee considered the following report:

“1.0 Purpose of Report/Summary of Main Issues

The purpose of this report is to outline for Members the role of the Brexit Committee, the work that it previously undertook and preparations that are ongoing in relation to the Council’s Day 1 preparedness.

2.0 Recommendation

The Committee is requested to note this update.

3.0 Main Report

Key Issues

Members are reminded that the Brexit Committee held its first meeting in August, 2018 and is responsible for researching, monitoring and reviewing the financial, resource or operational impact upon the Council and the district as a result of the UK’s decision to leave the European Union. The Committee is responsible for making recommendations to Council on such issues (or to the relevant Standing Committee where appropriate).

The Committee’s specific functions include:

- articulating the Belfast specific issues to be considered as part of the negotiation and transition arrangements;
- the continuous monitoring of progress and announcements around Brexit;
- influencing and contributing to regional considerations of the implications of Brexit on both the work of the Council and on the district;
- identifying any actions the Council may take to mitigate any adverse impacts arising and capitalising on any opportunities as a result of Brexit;
- reviewing changes to legislation arising out of Brexit and analysing the likely impact which they may have upon the delivery of council services;
- fostering and maintaining positive relations and cultural links with the EU;

- maintaining and promoting social cohesion within the district, post Brexit;
- monitoring the impact on migrant workers, skills gaps and issues arising with regard to various sectors in the labour market;
- financial and budget assumptions and implications for the district arising out of Brexit;
- identifying the implications for EU grant funding and alternative funding opportunities;
- seeking to influence decisions with regard to continuing access to and distribution of EU funds (including Peace, Culture and Interreg programmes);
- ensuring the ability of Belfast to achieve the objectives, as set out within the Belfast Agenda;
- ensuring the ability of Belfast to continue to attract and retain investment and grow the rate base;
- ensuring the ability of Belfast to increase trade with existing and potential trade partners (access to supply chains / import and export issues); and
- hearing evidence from other parties.

Activities to Date

In the period from its establishment to the end of the last Council term, the Committee has considered a number of issues including:

- potential impact of increased controls on the Port Health Unit (a site visit was undertaken to the Port);
- technical notices issued by the UK government;
- EU Settlement Scheme;
- considering possible scenarios for the Belfast services industry if Article 56 'freedom to provide services' of the Treaty on the functioning of the EU does not apply following the UK's departure from the European Union;
- Day 1 preparedness of the Council;
- potential impacts of Brexit on a range of sectors across the City – this involved the holding of an external workshop to seek their views;

- scenario planning around how the Council can input into the new structures which will be established as part of UK Withdrawal and Next Phase of Negotiations, which included input from Queens University Belfast; and
- potential implications of Brexit on ICC and Ulster Hall.

The Committee has also received presentations from:

- CBI (Confederation of British Industry) Northern Ireland - analysis on the work they have undertaken on NI migration;
- InterTrade Ireland – on support available for business;
- Invest NI – on support available for business;
- BCC Youth Forum and other youth bodies; and
- Federation of Small Businesses - Making Northern Ireland an Enhanced Economic Zone

Visit to Brussels

A delegation, led by the Lord Mayor, undertook a visit to Brussels in January, 2019. The purpose of this visit was to engage with EU officials to represent the views of the council in relation to Special Designated Status, remaining in the single market and the Council's position on the Backstop; and to engage with EU Funding Bodies about our future participation in EU Funding Programmes.

The Committee also hosted a visit from the Seanad Select Committee on the Withdrawal of the United Kingdom from the European Union in March.

Update on Brexit Day 1 Preparedness

Members may be aware that that the previous Committee was updated at various meetings on the work that is ongoing in relation to identifying potential Day 1 service implications in relation to Brexit. Members will be aware that there is ongoing uncertainty around the outcome and timings around the EU exit, therefore Officers are currently preparing for a 'no deal' scenario.

Members are advised that the following actions have being undertaken:

- i. the Council's critical services have completed Brexit Resilience Measures templates to identify the potential impact that Brexit may have on service delivery over the period after exit from the EU and the necessary resilience measures that need to be taken before the exit date; and**
- ii. responsible officers have reviewed and updated their Business Continuity Plan ensuring that it deals with service delivery post Brexit, and have communicated it to relevant staff.**

Members are also advised that a process for internal situational reporting has been developed whereby emergency planning staff will provide situational reporting and daily position statements to the Council's senior management team and Members on critical services as appropriate. Officers are also working with relevant partners in relation to external situational reporting and the need to report on a daily basis into a central command hub. If this becomes necessary it will be added into the internal reporting process. Members are advised that this process went live w/c 25th March and reporting took place for several days. However due to the change of the EU exit date from 29th March and uncertainty around the timings of the exit, it was decided by the NICS that daily reporting was not required at this point and that the frequency of reporting would be kept under review as the situation evolves. Members should note that this period of reporting was a good test of the arrangements and officers are confident that the process works and can be activated as required.

EU Settlement Scheme

Members are advised that the previous Committee agreed that an information session on the EU Settlement Scheme be held in the City Hall. Under the Government's EU Settlement Scheme, EU, EEA, Swiss citizens and their families must apply to obtain the immigration status they need in order to live and work in the UK after June 30th, 2021. It was also agreed that local organisations who successfully obtain funding from the Home Office funding scheme to allow them to support EU citizens to apply to the Scheme, be invited to provide the information at the session. Members are advised that several local organisations have been successful in receiving funding from this scheme and that council officers

will work with them to hold an information session over the coming months as previously agreed.

Financial and Resource Implications

There are no financial implications relating to this report but members should note that there is no budget associated with this Committee.

Equality or Good Relations Implications/Rural Needs Assessment

There are no implications relating to this report.”

After discussion, the Committee:

- i. noted the contents of the report and that it would, at its next meeting, receive a draft work plan for consideration;
- ii. agreed that a report be submitted to a future meeting outlining the various European Directives and legislation governing the work of the Council currently; and
- iii. in terms of the impact of Brexit upon Workers/Human Rights and on the environment, agreed that the following be invited to attend a future meeting:
 - Representatives of Trades Unions
 - Representatives of environmental organisations;
 - Dr. Mary Dobbs – Queen’s University;
 - Professor Colin Harvey – Queen’s University; and
 - Dr. Daniel Holder – CAJ.

New Institutions – Queen’s University Research

The Committee was reminded that, at its meeting on 11th April, it had received details of a range of new structures which would be put in place, should a Withdrawal Agreement be passed. Those would include a United Kingdom – European Union Joint Committee, to implement and apply the Agreement, a specialised Committee on Ireland/Northern Ireland, to consider proposals around the implementation and application of the Protocol on Ireland/Northern Ireland and a Joint Consultative Working Group to serve as a forum for the exchange of information and consultation.

The Committee had agreed that a letter be forwarded on its behalf to Mr. David Sterling, Head of the Northern Ireland Civil Service, emphasising the importance of engagement with councils as the new institutions were developed.

The Commissioner for Resilience reported that the Department for the Economy had commissioned Queen's University to undertake research around the new institutions. The researchers would be gathering evidence to inform Northern Ireland's preparation for managing the governance opportunities and challenges arising from Brexit. The project would examine evidence from across European and non-European regions in order to identify the impact on Northern Ireland of the proposed institution arrangements contained within the Withdrawal Agreement, the role which existing governance structures could play in post-Brexit structures, how policy makers in Northern Ireland could influence the new structures and, finally, how the views non-political stakeholders could be taken into account.

She confirmed that Council officers had met with the researchers to stress the need to engage with Local Government as the new institutions were developed and on the implementation/impacts of Brexit at a local level.

The Committee noted the information which had been provided and that it would receive regular updates as the research progressed.

Brexit Select Committee

The Committee noted that it would, at its next meeting, receive a report on the outcome of a mapping exercise which had, following a Freedom of Information request, been published recently by the Brexit Select Committee, highlighting areas of joint co-operation on the island of Ireland which would be impacted by Brexit.

Update on Local Government Auditor's Report – Preparations for Leaving the European Union

The City Solicitor drew the Committee's attention to that part of the Local Government Auditor's Report for 2019 addressing Local Government's preparations for leaving the European Union.

The report had indicated that:

- the lack of clarity so far on the shape of an exit deal and a clear way forward, as well as the absence of additional funding, inevitably meant that councils have been limited in terms of the practical preparations which they can make;
- exiting the European Union posed a significant risk to Local Government service delivery, in particular, community planning, the economy and tourism. Preparations for European Union withdrawal across councils varied. Approaches commonly included monitoring and inclusion in risk registers, as well as briefings and reports to Councillors. Some councils also reflected the risk in corporate and

financial plans. Several councils had established working groups or committees to focus on this issue;

- no council was fully ready, in operational terms, for a no-deal exit;
- whatever the outcome, the capacity of councils to implement any changes necessary may be constrained given the short time available;
- should there be a failure to agree arrangements for the United Kingdom's withdrawal from the European Union, there would be no transition period and councils would need to respond immediately;
- looking ahead, councils faced a wide range of challenges and opportunities; and
- delivering positive outcomes would require strong leadership, effective governance structures and continued engagement both internally and externally. This could be further enhanced through the development of effective partnership arrangements with other public bodies and local communities.

After discussion, the Committee noted the information which had been provided and agreed that the Local Government Auditor be invited to attend a future meeting in order to discuss the matter further.

Issues Raised in Advance by Members

Support for the Backstop as part of any Withdrawal Agreement

Councillor de Faoite reminded the Committee that, at its meeting on 9th August, 2018, it had passed the following motion on the Backstop Option, which had, in accordance with Standing Order 13(f), been referred to it by the Council on 4th June:

"This Council supports paragraph 49 of the agreed Joint Report from the Negotiators of the European Union and the British Government of December 2017 which is an approach that will ensure there is no hardening of the border in Ireland.

The Council recognises that the 'backstop' option is the minimum position, agrees to lobby for retaining this and, furthermore, any position which the Brexit Committee adopts going forward. In addition, the Council demands that the full EU rights of citizens are protected, as proposed in the current draft Withdrawal Agreement."

He highlighted the importance of ensuring that the 'backstop' remained at the forefront of all discussions around Brexit and, accordingly, he suggested that a letter be forwarded to the incoming Prime Minister restating the Council's position, as set out in the aforementioned motion.

After discussion, it was

Moved by Councillor Long,
Seconded by Councillor Flynn,

That the Committee agrees that a letter be forwarded to the incoming Prime Minister and to the Taoiseach reiterating the Council's overall position in relation to Brexit, namely, that:

- i. the majority of people in Belfast and in Northern Ireland voted to remain in the European Union;
- ii. Northern Ireland should be afforded special designated status;
- iii. Northern Ireland cannot withstand exclusion from the Single Market or Customs Union;
- iv. the Good Friday Agreement must be protected in all its parts;
- v. there must be no diminution of Human Rights and equality provisions which must be protected;
- vi. the 'backstop' agreed by the Government and the EU27 is the bottom line in order to safeguard political and economic stability now and for the future; and
- vii. the Council supports 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.

The Committee agrees further that the letter to the incoming Prime Minister and to the Taoiseach should stress the Council's opposition to a No-Deal Brexit.

On a vote by show of hands ten Members voted for the proposal and four against and it was declared carried.

Chairperson