

**Report to:** Cabinet  
**Date of Meeting:** 2 October 2019  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release** None



**Subject:** EU Exit East Devon District Council preparedness

**Purpose of report:** To advise members about the work being done by EDDC Officers in preparation for an EU Exit.  
Specifically:  
1 Our CEO is our Brexit Lead Officer and sits on the local Brexit Resilience and Opportunities Group (BROG) chaired by Devon County Council's Chief Executive. Through this group we will lobby Central Government to establish an Emergency Welfare fund for our agricultural and rural communities likely to be impacted.  
2 We will prepare our own staff and Members with key preparedness messages and we will signpost any enquiries to official advisory web pages for businesses and members of the public covering preparation for a no deal EU Exit.  
3 We will also be expected to contribute to a local emergency contingency fund of £25,000 to provide support to the Devon, Cornwall and Isles Of Scilly Local Resilience Forum.

**Recommendation:** Promote an awareness of the risks of EU Exit to our Members, staff, businesses and residents and to know where current and relevant information can be located via the links included in this report.

**Reason for recommendation:** Providing community resilience preparing for any future market shock for local businesses

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**Financial implications:** The report highlights the expectation of the Council contributing £25,000 to a local emergency fund to provide support to the Devon, Cornwall and Isle of Scilly Local Resilience Forum, the Council has received £35,000 from Government to help fund Brexit issues that has not been allocated to date. There are no other direct costs highlighted in the report but there could be cost implications that are unknown.

**Legal implications:** While our exit from the EU is clearly a particularly sensitive and emotive topic, this paper, which is to promote awareness on the associated risks, does not raise any specific legal implications requiring further comment.

**Equalities impact:** Low Impact

**Climate change:** Low Impact

**Risk:** High Risk

A number of risk areas risks areas have been identified and considered in relation to businesses and communities so as part of a no deal EU Exit. East Devon District Council continues to work alongside Blue Light Services, other local authorities and others as a partner within the DCIOS Local Resilience Forum. We have looked carefully at how we might mitigate against risk factors and reduce the impact on local businesses and the local community. The national risk factors considered are included within the body of the full report

**Links to background information:**

- <https://eastdevon.gov.uk/business-and-investment/brexit-government-guidance-for-businesses-preparing-for-brexit/>
- <https://www.gov.uk/brexit>
- <https://www.gov.uk/business-uk-leaving-eu>
- <https://www.heartofswgrowthhub.co.uk/start-grow-business/brexit/>
- <https://www.gov.uk/government/collections/how-to-prepare-if-the-uk-leaves-the-eu-with-no-deal>

**Link to Council Plan:** Encouraging communities to be outstanding;  
Developing an outstanding local economy;

**Report in full**

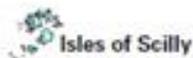
This is a Brexit Briefing Note for East Devon District Council Members and staff.

Our designated Brexit Lead Officer is our Chief Executive Mark Williams. Within the DCIOS Local Resilience Forum (LRF) our Strategic Delivery representative is the Service Lead for Environmental Health and Car Parks Andrew Ennis and our Operational Delivery representative is our Community Safety Lead David Whelan.

East Devon District Council is a member of the Devon Emergency Planning Partnership (DEPP) which now includes representation from all the Unitary and District councils in Devon and is led by the emergency planning team from Devon County Council.

The LRF is a multi-agency partnership made up of representatives from local public services, including the blue-light emergency services, local authorities, the NHS, the Environment Agency and other partners. These agencies are known as Category 1 Responders, as defined by the Civil Contingencies Act. The LRF is also supported by organisations, known as Category 2 responders, such as the Highways Agency and the public utility companies who have a responsibility to co-operate with Category 1 organisations and to share relevant information with the LRF. We also work in conjunction with other including the Military and the Voluntary Sector who provide a valuable contribution to LRF work in emergency preparedness.

- Devon & Cornwall Police
- Devon & Somerset Fire & Rescue Service
- Cornwall Fire & Rescue Service
- South Western Ambulance Service Trust
- Cornwall Council
- Devon County Council
- Plymouth City Council
- Torbay Council
- Council for the Isles of Scilly
- NHS England
- Public Health England
- Maritime & Coastguard Agency
- Environment Agency
- British Transport Police
- Military
- DCLG RED



Since October 2018 Officers have been meeting within both LRF and DEPP partnership structures to work on the nationally identified risk register for EU Exit.

The rhythm of planned LRF meetings increases as we approach the end of October; information relevant to identified risks will become available through these meetings and partners will respond accordingly on a local, peninsula and National Level. From September these meetings moved from monthly to two weekly and will eventually become daily at both a Strategic and operational level

The government is responsible for leading the withdrawal process of the UK from the EU, the likely outcome of that process by government remains unclear.

Within the media there have been a number of theories about what the likely impact of different scenarios may or may not be, and central government remains responsible for mitigating many of the potential national risks that are being discussed, such as disruption to food and medical supplies.

Our primary responsibility is to continue to provide our local Council services, and in scenarios where local risks are identified, to focus on them and to work to reduce possible disruption to our residents, local businesses and the area as a whole.

In order to do this we need to remain alive to the impact of different scenarios being discussed with the BROG, LRF and DEPP and, where possible, put measures in place to mitigate any impact.

## Current Risks

The local risk register sets out our broad areas of concern, and the actions we are taking to manage those.

The DCIOS LRF risk register currently includes a number of scenarios and possible impacts in our area. These range from a managed deal between the UK and EU through to no deal, with all the associated uncertainty.

Recognising that residents and business may turn to the council for support, advice and assistance in the weeks and months ahead, we will continue to engage constructively with central government to achieve the least worst impact on East Devon's businesses and residents. However to ensure we can do that effectively Officers remain firmly of the view that it

remains imperative that suitable and sufficient guidance and financial support is provided by central government at this time of great uncertainty for all.

## DCIOS risk register

Issue	Challenge	Progress to date
<p><b>The border</b></p>	<p>Ensuring that goods can continue to flow across the UK border (particularly at Dover and in Northern Ireland)</p>	<p>The UK has committed to continuing to recognise most EU standards for goods to ease their transit into the UK. However, the EU has said it will check imports from the UK as it would imports from any other non-member, putting major burdens on businesses.</p> <p>HM Revenue and Customs has been communicating with businesses about the new customs processes they will need to follow if there is no deal, but many businesses are still unaware of the changes they will face. The government has also been vague on its plans for managing the border with Ireland: no new information has been published since March, when a high-level set of temporary measures were announced.</p>
<p><b>Citizens and migration</b></p>	<p>Protecting the rights of EU citizens in the UK and UK citizens in the EU</p> <p>Establishing a new migration regime</p>	<p>The UK has made a unilateral offer to EU citizens. Those in the UK on or before 31 October 2019 can gain settled status as they would if there was a deal – but there will be fewer rights for them in areas such as family reunification.</p>

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		<p>The Home Office is putting in place a registration scheme for EU citizens who arrive after October 2019, which would in effect see EU citizens able to come to the UK as now for a period. The <a href="#">rights of UK citizens in EU countries</a> are the responsibility of each individual member state.</p>
<p><b>Agriculture, fisheries and food</b></p>	<p>Maintaining food supplies and establishing new UK regulatory regimes</p>	<p>The government has said that it will continue to allow EU-approved agri-goods into the UK after a no-deal exit. But UK exporters would need to get approval before being able to export any product of animal or plant origin to the EU. After that, they will face greater checks than now and will have to pass through a border inspection post.</p> <p>There will also be problems exporting animal products to other countries if current EU agreements have not been replaced. The UK has said it will replace EU funding for farmers until the end of the current payment cycle.</p> <p>There is no clarity over the UK's approach to fishing quotas after Brexit.</p>
<p><b>Health</b></p>	<p>Maintaining medical supply chains</p>	<p>The government will continue to accept EU-approved medicines and medical products. The EU has said</p>

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		<p>that UK companies will need to re-register their medical products in the EU to continue to sell them in the Single Market.</p> <p>The government has <a href="#">asked pharmaceutical companies</a> to build “buffer stocks” of key items to deal with any interruption to supply. It also plans to buy warehouse space and secure additional freight capacity for shipping medical goods to the UK (as it did in March). The government has committed to prioritising medicines at the border and believes that “if everyone... does what they need to do, the supply of medicines and medical products should be uninterrupted”.</p>
<p><b>Transport</b></p>	<p>Creating new databases, new infrastructure and ensuring cross-border travel continues uninterrupted</p>	<p>Increased border checks at EU ports will potentially cause traffic delays in Kent, while UK hauliers and coach companies will no longer be able to serve the EU market. The EU has only put in place limited and temporary measures to mitigate road transport disruption, and many of these will expire at the end of 2019.</p> <p>Flights to the EU and many other countries around the world are governed by EU agreements, which the UK is working to renegotiate on its own behalf. The government</p>

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		<p>expects to have all these aviation agreements in place by 31 October. The EU has also said it will unilaterally allow some UK–EU flights to continue for 12 months after a no-deal exit, subject to the UK reciprocating.</p>
<p><b>Services</b></p>	<p>Preparing for changes to regulatory regimes and terms of access to the EU market</p>	<p>The UK government has committed to unilateral actions to minimise financial disruption in a no-deal scenario, including a temporary permissions regime allowing EU financial services firms to continue operating in the UK for a limited period while seeking UK authorisation.</p> <p>The EU has committed to a similar temporary permissions regime for some key financial services sectors, for a very short time, on a unilateral basis. For non-financial services like telecoms and broadcasting, firms may need to re-register their services in an EEA country.</p>
<p><b>Energy and environment</b></p>	<p>Creating a new nuclear safeguards regime, replacing other functions currently carried out by EU agencies</p>	<p>The UK will no longer be bound by EU regulations in these areas, making trade more complicated. It will also lose access to EU regulators and systems governing these areas. The Office for Nuclear Regulation will take over some EU functions and is in the process of</p>

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		<p>procuring a new IT system, training new inspectors and has secured funding for its increased role.</p> <p>The UK has <a href="#">promised a new environmental watchdog</a> to replace EU functions. However, this will not be in place until 2021 at the earliest – so any complaints cannot be dealt with until then.</p>
<b>Data</b>	Securing an “adequacy” decision to allow data flows to continue	It will not be possible for organisations inside the EU to send personal data to the UK after a no-deal Brexit, until its data protection regime has been found “adequate” by the European Commission. This process takes several months and cannot start until after the UK has left.
<b>Competition</b>	Beefing up the Competition and Markets Authority	The Competition and Markets Authority is expanding to handle an increase in the volume and complexity of its cases, as it takes on the responsibilities of the European Commission in monitoring state aid and other competition policy in the UK.
<b>Law and justice</b>	Finding replacements for EU tools allowing cooperation in law enforcement	The UK cannot recreate the EU’s existing cooperation mechanisms on its own: it will have to rely on outdated or less secure methods to work with EU counterparts, as the <a href="#">EU’s tools</a> are only for member

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		<p>states or countries with special agreements.</p> <p>Sajid Javid, then Home Secretary, <a href="#">wrote to his counterparts</a> asking for contingencies to be in place – there has been no move from the EU to agree these.</p>
<b>EU programmes and funds</b>	Replacing EU funding for research, infrastructure and agricultural subsidies, among other areas	The government has guaranteed that UK beneficiaries of EU funds will continue to receive funding until the end of 2020 – this will be funded by HM Treasury. Many of the payment mechanisms exist already; it will just be the source of funding that changes.
<b>International agreements</b>	Replacing the UK's access to the EU's agreements with countries around the world	<p>The government has 'rolled over' trade agreements with a number of countries, including Switzerland, Chile and Israel, as well as agreements on aviation services with a number of key countries, including the US, Canada and Brazil, and nuclear agreements with partners including Australia and Canada.</p> <p>However, we do not know what, if any, concessions the government is having to make to other countries to secure these rolled-over agreements. Moreover, some countries have refused to roll over</p>

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		agreements: Canada for instance has refused to roll over its trade agreement with the EU.