

Brexit Committee

Thursday, 11th November, 2020

MEETING OF BREXIT COMMITTEE HELD REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor Flynn (Chairperson); and Aldermen Haire, Rodgers and Sandford; and Councillors Baker, Brooks, Canavan, de Faoite, Ferguson, Gormley, Hanvey, Kyle, Long, Magennis, McLaughlin, McMullan, Spratt, Whyte and Walsh.

In attendance: Mr. J. Walsh, City Solicitor;
Mrs. C. Sheridan, Head of HR;
Ms. K. Walsh, Business Research and Development Manager;
Mrs. C. Sullivan, Policy and Business Development Officer;
Mr. D. Connolly, City Protection Manager;
Mr. J. McConnell, City Services Manager (Resources and Fleet)
Mr. R. Connelly, Policy, Research and Compliance Officer;
Ms. C. Donnelly, Democratic Services Officer; and
Mrs. S. Steele, Democratic Services Officer.

Apologies

An apology for inability to attend was received from Councillor Newton.

Minutes

The minutes of the meeting of 8th 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 2nd November.

Declarations of Interest

No declarations of interest were recorded.

Schedule of Meetings for 2021

The Committee approved the schedule of meetings for the Brexit Committee as outlined below and agreed that all meetings would commence at 5.15 pm:

- Thursday, 14th January;
- Thursday, 11th February;
- Thursday, 11th March;
- Thursday, 15th April;

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- Thursday, 13th May;
- Thursday, 10th June;
- Thursday, 12th August;
- Thursday, 9th September;
- Thursday, 14th October;
- Thursday, 11th November;
- Thursday, 9th December.

**Correspondence - Response from the Minister
of State for Northern Ireland**

The Committee was informed that correspondence has been received from the Minister of State for Northern Ireland, Mr. Robin Walker MP, in response to the Brexit Committee's letter in relation to the UK Government's commitment to the NI Protocol.

The Committee noted the response received from the Cabinet Office

Presentations

**Presentation from the Irish Congress of Trade Unions –
Kevin Doherty (Union Services Officer NI)**

The Chairperson welcomed Mr. K. Doherty from the Irish Congress of Trade Unions (ICTU) to the meeting.

Mr. K. Doherty thanked the Committee for inviting representation from ICTU to discuss the impact of the Immigration and Social Security Act 2020, which sought to end the right of free movement and removed the rights of EU citizens to live and work in the UK, and have protection at work and equal treatment.

He reported that the UK government plans for immigration post-Brexit, would introduce a new form of exploitation and encourage undercutting by removing EU citizens right to work and live in the UK without the requirement of a visa and that its proposals would also increase discrimination, lead to further strains on public services and increase shortages in vital jobs.

He highlighted that the immigration act did not set out what the future UK system would look like, and instead, the act gave Ministers the powers to modify primary or secondary legislation through delegated legislation.

He pointed out to Members that in the midst of the Covid19 pandemic it had never been clearer the vital role that migrant workers played as healthcare workers, carers, food producers, transport workers and other frontline workers and that EU nationals in Northern Ireland were mostly employed in lower paid, lower skilled occupations and that nine percent of healthcare workers in Northern Ireland were from outside the UK.

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He referred to the EU Settlement Scheme and how an EU citizen who wished to remain in the UK beyond 31st December, 2020, and their family members, would have to apply for either settled status or pre-settled status, and those who had not applied within the limited timeframe would be considered undocumented and subject to the hostile environment experienced by non-EU nationals. He added that these undocumented individuals would be vulnerable to criminalisation, removal and deportation.

He further added that ICTU had concerns that the outsourcing of immigration enforcement to businesses, landlords and its structure targets ethnic minorities and those who look or sound foreign and that those without documentation would be denied access to healthcare, housing, employment benefits and bank accounts.

He reported that EU citizens would have to rely on an untested, online database as the only means of evidence of status and rights and that it was unacceptable for the UK government to use EU citizens as an experiment for the digital immigration system and that the introduction of a permit system for EU workers would not be open to lower skilled paid jobs, the types of jobs that migrant workers in Northern Ireland currently occupied.

He stated that ICTU had concerns over the introduction of low skilled job visas for the agricultural sector and youth mobility visas which would be short term and make it easier for employers to use migrant workers to undercut other workers terms and conditions and encourage exploitation.

In response to a question from a Member regarding a conservative government and workers' rights post-Brexit, Mr. K. Doherty stated that, as employment rights were a devolved matter, ICTU would be calling for the Northern Ireland Executive to commit to retaining the existing employment rights in Northern Ireland and that any new workers' rights introduced in EU countries, would also be adopted in Northern Ireland.

Following further discussion, the Committee thanked Mr. K. Doherty for his presentation and he retired from the meeting.

**Update from Attendance at Committee of the Executive –
Brexit Stakeholder Event**

The Members were reminded that, at its October meeting, they agreed that the Council accept the invitation from the Committee for the Executive Office, to attend its Brexit stakeholder event which was held on the 4th November. The purpose of the event was to provide local councils with an opportunity to brief Committee Members on any issues and concerns they might have as a result of the UK's exit from the European Union. The Chairperson and the City Solicitor had attended the event.

The City Solicitor outlined the key issues that he and the Chairperson had raised in their presentation to the Committee for the Executive Office, which included:

- That key council services had recently undertaken a review of preparedness and potential issues had been identified around impact on supply chains and higher costs;

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- The potential issues at Belfast Port and uncertainty around what new checks will be required; the need to ensure sufficient funding to cover any additional staffing costs, and greater clarity is required on contingency arrangements to ensure trade is not adversely impacted and to avoid delays at the ports of entry;
- That Councils should have a role and work in partnership in co-designing the way in which Shared Prosperity Fund is allocated and managed and that there was a need to ensure monies align with regional priorities such as employment opportunities, economy and tourism;
- The potential for higher living costs for residents and the impact on vulnerable people – the need to build on the partnership work that was developed with DfC and the community sector as a response to Covid to ensure that any support required as a result of the end of the transition period is delivered;
- The potential impacts on the city’s economy in particular on key sectors including services, finance and the fact that Belfast is predominantly a micro business economy ;
- That Belfast is significantly reliant on the visitor economy and one key sub-sector is business tourism - the uncertainty around the future relationship has already had a negative impact on future bookings; and
- The challenges of preparing for Brexit that had been made much more difficult by the current circumstances as a result of the pandemic.

The City Solicitor reported that a key thread running through the presentation was the need for the Executive to clarify future funding arrangements for local government to help them address any impacts arising from the ending of the transition period

The Committee noted the update provided and following discussion, agreed to invite representation from the Department of Finance to attend a future meeting of the Committee to discuss the Shared Prosperity Fund.

Update on Brexit Preparedness

Restricted

The information contained in the discussion and presentation associated with the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Resolved – That the Committee agrees to exclude the Members of the Press and public from the Committee meeting during discussion on the following item as, due to its nature, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

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The Policy and Business Development Officer, Head of HR, City Services Manager (Resources and Fleet) and the City Protection Manager presented the Committee with an update in respect of the following report:

1.0 Purpose of Report or Summary of Main Issues

The purpose of this report is to update Members on the process to review the readiness of the council's critical and other key services for the end of the Brexit transition period on 31st December 2020.

2.0 Recommendations

Members are asked to note the contents of this report.

3.0 Main report

Key Issues

Members are reminded that a process to review the readiness of the council's critical and other key services for the end of the Brexit transition period on 31st December 2020 has been ongoing. The aim is to provide assurance to Committee and senior management that the Council's critical services will be ready for the end of the transition period and to identify any further actions that may need to be taken. The services were asked to review and update the readiness templates that they had produced previously (September 19) and an analysis of the returns is currently underway.

Some of the key issues raised include:

- All of our critical services continue to seek assurances that from partners and suppliers that they have suitable contingency plans in place to deal with any negative impacts of Brexit.**
- Food Safety, Port Health and Waste & Fleet services remain the key critical services which are likely to experience the greatest impact as a result of a 'no free trade deal' Brexit. There remains uncertainty and lack of clarity around the checks that will be required for the movement of goods from GB to NI and vice versa and the potential costs involved.**
- Six of the fifteen critical services noted that there had been no change to their assessments since their last Brexit readiness review in September 2019.**

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- **There may be financial and other impacts upon council services in terms of availability and access to goods and components, supplier backlogs and costs passed on by suppliers to cover increased tariffs and resources required to carry out additional administrative duties.**
- **It is possible that we could see an increase in lead times and costs of supplies for various services given the increased checks required for goods moving from GB to NI.**
- **Emergency planning has noted that a no free trade deal Brexit will represent a concurrent emergency in addition to Covid-19 and Autumn / Winter adverse weather pressures. The service has implemented several resilience measures to manage this scenario.**
- **It is possible that Brexit could affect staffing for EU nationals (particularly for Fleet) and for EU funded posts. Corporate HR has noted that departments are currently collating this information in order to assess any impact.**
- **In summary, a wide range of worst case risks have been considered by all of the critical services. These ranged from delays in obtaining suppliers, staff not being able to get to work or access IT, and potential civil unrest. While some uncertainty remains, services are actively putting arrangements in place to mitigate or manage the risks identified through this process.**

Officers from key services will be present at the Committee meeting to address Member queries.

Officers are currently working with services to identify measures that are in place, or that can be implemented if needed, to support businesses and vulnerable people in the city. This is being undertaken in context of Covid 19 planning and an update will be brought to the December meeting of this Committee on this work.

Financial & Resource Implications

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There are no financial or resource 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 report and associated presentation.

Chairperson