



<b>Subject:</b>	Port Health Update
<b>Date:</b>	9 <sup>th</sup> September 2021
<b>Reporting Officer:</b>	John Walsh, Director of Legal Services
<b>Contact Officers:</b>	Siobhan Toland, Director of City Services

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Some time in the future</b>	<input type="checkbox"/>
<b>Never</b>	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report</b>
1.1	This report provides an update for Members on the UK Government written statement on continuing negotiations with the EU in relation to implementation of the NI Protocol, and in particular its relevance to the Council's delivery of its functions in respect of imported food controls at Belfast Port.
<b>2.0</b>	<b>Recommendations</b>
2.1	The Committee is asked to <ul style="list-style-type: none"><li>• Note the report</li></ul>

3.0	<b>Main Report</b>
3.1	<p><b>Background</b></p> <p>Since 31<sup>st</sup> December 2020, the Council's City Protection Service (Port Health Unit) has been delivering a range of imported food controls for food and certain food related products moving from GB to NI. During this period, easements and grace periods have applied, in particular authorised retailers have been availing of a scheme for temporary agri-food movements to NI (STAMNI). The grace period that applies to this scheme had been due to expire on 1<sup>st</sup> October 2021, following a previous extension by the UK Government announced in March 2021, and would have resulted in a significant uplift in checks by Council officers for products being imported for retailer that are part of this scheme.</p> <p>3.2 On 6<sup>th</sup> September 2021, Lord Frost issued a written statement announcing that the UK Government intends to continue operating the NI Protocol on the current basis, meaning that current grace periods will be extended. No end date for this extension has been announced, the reason given that this is to allow negotiations with the EU to continue. The European Commission also issued a Statement in response.</p> <p><b>Key issues</b></p> <p>3.3 Council officers have been working with officials DAERA, FSA and DEFRA, as well as other NI Councils to understand the future resource and operational requirements for delivery of the service. In the absence of a negotiated outcome at this time, uncertainty remains as to the types of checks and volumes of work that will be required. This means that it is not yet possible to assess the impact for Belfast City Council's operations.</p> <p>3.4 In the meantime, work is proceeding with FSA to identify Council's immediate resource requirements, for providing the service in financial year 2022/23 (based primarily on the current level of operation) and beyond, so that FSA can secure the resource from HM Treasury later this year.</p> <p>3.5 <u>Financial &amp; Resource Implications</u> There are no direct financial implications arising from this report. Costs associated with the implementation and facilitation of Port Health work in relation to the NI protocol are currently being met by UK Government funding via the Food Standards Agency.</p> <p>3.6 <u>Equality or Good Relations Implications/Rural Needs Assessment</u> There are no direct equality implications contained in this report.</p>

<b>4.0</b>	<b>Appendices</b>
	Appendix I: Statement by Lord Frost Appendix II: Statement from European Commission

## **Appendix I**

### **Statement made by Lord Frost, Minister of State in the Cabinet Office, 6 September 2021**

The Government set out in its 21 July Command Paper, 'Northern Ireland Protocol: the way forward', proposals to find a new balance in the operation of the Protocol.

The Government proposed to the EU on 23 July a 'standstill' arrangement to maintain the operation of the Protocol on the current basis, and to pause current legal actions, to provide space for discussions on those proposals. The EU announced on 27 July that it was not, at that stage, moving to the next stage of the legal proceedings it started in March. There have since been initial technical talks between the UK and the EU. These will continue in order to determine whether a constructive process can be established for discussing and addressing the issues identified with the Protocol.

Following on from this, to provide space for potential further discussions, and to give certainty and stability to businesses while any such discussions proceed, the Government will continue to operate the Protocol on the current basis. This includes the grace periods and easements currently in force. Operational and other guidance will be updated to reflect this approach. We will ensure that reasonable notice is provided in the event that these arrangements were to change, to enable businesses and citizens to prepare.

## **Appendix II**

### **Statement by the European Commission following the UK announcement regarding the operation of the Protocol on Ireland / Northern Ireland, 6 September 2021**

We take note of the UK ministerial statement regarding the operation of the Protocol on the current basis, including the continuation of existing grace periods.

We continue to stress that the Withdrawal Agreement is an international agreement. The Protocol is an integral part of the Withdrawal Agreement and the agreed solution between the UK and the EU to the problems caused by Brexit for the island of Ireland. Both sides are legally bound to fulfil their obligations under the Agreement.

Our focus remains on identifying long-term, flexible and practical solutions to address issues related to the practical implementation of the Protocol that citizens and businesses in Northern Ireland are experiencing. However, we will not agree to a renegotiation of the Protocol. The Commission continues to engage constructively with the UK, in the interest of all communities in Northern Ireland.

Our approach to the Protocol is based on the achievement of stability, certainty and predictability in line with the objectives of the Good Friday (Belfast) Agreement and in order to protect the Single Market. In this way, businesses and citizens in Northern Ireland will reap the full benefits of the Protocol and, in particular, the access to the Single Market it provides.

The Commission reserves its rights in respect of infringement proceedings. At present, the Commission is not moving to the next stage of the infringement procedure launched in March 2021, and is not opening any new infringements for now.