

EAST RENFREWSHIRE COUNCIL  
AUDIT AND SCRUTINY COMMITTEE

26 November 2020

Report by Directors of Corporate & Community Services and Environment

UPDATE ON WITHDRAWAL FROM THE EUROPEAN UNION

**PURPOSE OF REPORT**

1. This report provides an update on the United Kingdom's (UK's) exit from the European Union (EU) and East Renfrewshire Council's work in response to this.

**RECOMMENDATION**

2. It is recommended that the Audit and Scrutiny Committee consider this report.
3. It is recommended that a further update is provided early in 2021.

**BACKGROUND**

4. Previous reporting to committee took place in August 2020. Since then, talks remain ongoing between the UK and EU in relation to an agreement. As of 10 November 2020, these talks are continuing; with the approval of both sides. This is despite previous belief being that a 31 October 2020 deadline was required to ensure sufficient ratification.

5. Following ratification of the Withdrawal Agreement, the UK ceased to be a member of the EU on 31 January 2020; entering a transition period in operation to 31 December 2020.

6. From the 1 January 2021, the EU and UK enter a new relationship; based on current negotiations. If no agreement is made, the outcome has been equated to previous No Deal concerns; particularly regarding goods, services, data / information sharing and the legal framework.

7. To prepare for Brexit, East Renfrewshire Council has a well-established Brexit Working Group; containing representatives from each Department and key services.

8. The ongoing pandemic response, coupled with heightened risks of disruptive weather; mean that a 1 January end to the transition period is far more likely to see concurrent risks realised. The need to respond to multiple disruptive scenarios is being considered in a 17 November exercise.

9. Current indications from colleagues in Police Scotland are that the Multi Agency Coordination Centre (MACC) for EU Exit will be established during week commencing 7 December 2020. This will act as a conduit for information sharing and intelligence building on a national basis.

**BREXIT WORKING GROUP**

10. In order to continue to prepare for EU Exit, the Council's established Brexit Working Group continue to meet monthly. Additional bi-weekly meetings have been scheduled from 30

November 2020. These will be utilised in the event of a No Deal end to the transition period, to more regularly consider mitigations and response.

11. Membership of the Brexit Working Group has been expanded, since the last update, to ensure dedicated representation from Environmental Health and Trading Standards. These areas will be significantly impacted by changes to trade and legislation. Particularly with regard to their enforcement and advice giving functionality.

12. While the Brexit Working Group will remain the primary conduit for Brexit preparations and information sharing, the greater possibility of concurrent risks will necessitate the issue to also be considered by the Council Resilience Management Team (CRMT). The CRMT has an established rhythm in responding to the Coronavirus pandemic, with meetings taking place twice weekly. Additionally, there is representation at the CRMT from the Brexit Working Group, including the Brexit Coordinator – which will facilitate regular consideration of key EU Exit response issues.

### **BREXIT RISK REGISTER**

13. The Brexit Risk Register is regularly updated, seeking to identify the risks the Council faces and any steps that can be taken to mitigate these risks. Any significant risks feed into the Council's Strategic Risk Register, which contains an overarching risk at this level.

14. The latest refresh of the Brexit Risk Register continues to reflect the remaining uncertainty and that No Deal is an increasing threat. The primary key risks pertain to impacts on goods and services, as well as the legislative framework impacting on key services. There is additional recognition that the Internal Market Bill may exacerbate some of the risks within the Register.

### **CONCURRENT RISKS EXERCISE**

15. Recognising the significant potential for multiple disruptive events to occur and require Council response, a shared Concurrent Risks Workshop has been developed and will be delivered on 17 November. This event has been designed and will be delivered by East Renfrewshire's Brexit Coordinator and the shared Civil Contingencies Service.

16. The workshop will have attendance from officers in East Renfrewshire, Inverclyde, Renfrewshire and West Dunbartonshire Councils. This has been a deliberate consideration in the development of the event, to enable discussions on mutual aid – as well as general sharing of best practice.

17. The Workshop will seek to consider disruptions relating to EU Exit, Covid-19, disruptive weather and prolonged power outages. These are recognised as significant risks facing the Council, as well as being realistic for the timing of EU Exit. Any learning from the exercise will be reported through the Brexit Working Group and CRMT, with a view to being actioned accordingly.

### **MULTI AGENCY COORDINATION CENTRE**

18. In order to enable national oversight, information and potentially coordination of issues arising from EU Exit; a national Multi Agency Coordination Centre (MACC) will be established in December 2020. The MACC will be led by Police Scotland, who have indicated it will likely be during week commencing 7 December that it will become operational.

19. The MACC model had previously been established for March 2019 and October 2019 deadlines in relation to Brexit. Within this model, agencies had been required to provide daily reporting of issues experienced and readiness. Recognising that agencies are already under

significant strain, it has been proposed that Local Authorities would not be required to report daily to the MACC from December 2020. Any reporting would be by exception only. However, this has yet to be confirmed by the Scottish Government.

20. Respecting the potential for concurrent risks; the MACC will act as a national Strategic command for incidents from its inception. This has been considered prudent in ensuring that decision making can be taken by the appropriate senior officers for national organisations such as Police Scotland and the Scottish Fire and Rescue Service. This will not remove local decision making, but recognises that due to competing demands of information and resource; a single avenue for reporting and information is beneficial.

### **ONGOING CONSIDERATIONS**

21. COSLA are continuing to lobby on behalf of Local Authorities; both liaising with and pushing the Scottish Government. Examples of this have included close working with Environmental Health professionals in relation to Export Health Certificates. COSLA have recently publicly spoken on the Internal Market Bill; seeking assurances for Scottish Local Authorities in decision making.

22. COSLA are currently pursuing whether further financial support can be offered to Councils in relation to Brexit Coordination activity. As part of this, they will be engaging with Brexit Leads in each Local Authority to understand the pressures and issues impacting each area. A date has yet to be arranged for this discussion in East Renfrewshire, views will be sought from Brexit Working Group membership to support this activity.

23. The EU Settlement Scheme will stay open for EU Nationals resident in the UK on / prior to 31 December 2020 to apply to protect their rights to live and work in the UK beyond the end of the Transition Period. The Scheme will be open for applications until June 2021. The Brexit Working Group will regularly look to ensure the Council is signposting this Scheme in an effective manner, until it's closure.

### **FINANCE AND EFFICIENCY**

24. There are currently no finance and efficiency implications arising from this report.

### **CONSULTATION**

25. This report has been produced with input from the Council's Brexit Working Group.

### **PARTNERSHIP WORKING**

26. This report details work of the Council's Brexit Working Group, a cross-discipline group of Council Officers. Each Council Department is represented along with a number of key areas. Additionally, the Council has worked with COSLA, Voluntary Action East Renfrewshire, the Scottish Government and Citizens Advice as part of Brexit preparations.

### **IMPLICATIONS OF THE PROPOSALS**

27. There are currently no staffing, property, legal, IT, State Aid, equalities and sustainability implications arising from this report.

### **CONCLUSION**

28. In providing a broad overview of the status of the UK's exit from the EU, this report seeks to outline the main preparatory work undertaken by East Renfrewshire Council for Brexit. While the regularity of this work has been impacted by the Covid-19 pandemic

response; many of the procedures and preparations were well established, having been implemented for previous Brexit deadlines. The pressures of a No Deal end to the transition period have been exacerbated as a result of the Coronavirus global pandemic.

**RECOMMENDATION**

29. It is recommended that the Audit and Scrutiny Committee consider this report.

30. It is recommended that a further update is provided to Committee early in 2021.

Directors of Corporate & Community Service and Environment  
10 November 2020

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