

**PRESENT:** Councillor Karen Shore (Chairman)

Councillors Carol Gahan, Lynn Gibbon, Sam Naylor, Bob Rudd,  
Michael Baynham (Reserve) and Lynn Riley (Reserve)

Apologies for absence were received from Councillors Andrew Dawson and  
Mark Stocks

Reserve Members: Councillors Michael Baynham and Lynn Riley

Officers in attendance:	Andrew Lewis	Chief Executive
	Laurence Ainsworth	Director of Public Services Reform
	Matthew Dodd	Strategy and Innovation Manager
	Vanessa Griffiths	Regulatory Services Manager
	Penny Housley	Governance Manager
	Andrew McNally	Legal Officer
	Deborah Ridgeley	Democracy Business Manager
	Keith Power	Director

#### **14 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

The Chairman welcomed everyone to the meeting and introductions round the table were made.

Members declared the following interests:-

Councillor Karen Shore – declared an Outside Body Interest as a Member of the Ellesmere Port Development Board

Councillor Michael Baynham – declared that he was employed by an organisation that imported from and exported to Europe.

#### **15 MINUTES**

**AGREED:** That the minutes of the meeting of the Policy Commission: Planning for a Post Brexit Future held on 19 November 2018 be noted.

#### **16 NATIONAL CONTEXT AND UPDATE**

Andrew Lewis, Chief Executive, provided an update regarding the national context. The last meeting of the Policy Commission was held shortly after the draft EU Withdrawal Agreement had been published, along with an emerging political declaration regarding the UK's future relationship with the EU. This had since been approved by the EU Council but still needed to be ratified by UK Parliament and EU Parliament.

The Draft Agreement would be a legally binding international treaty, and would formally end the Article 50 process. The content of the agreement included a potential two year extension as a "transition period". The Withdrawal Agreement would be put before Parliament for a Meaningful Vote during week commencing 14 January 2019 (with the debate of the Agreement starting the week commencing 7 January 2019).

It was noted that the EU Withdrawal Act was Primary legislation, and there was a default position which would be to exit the EU on 29 March 2019, therefore increasing the likelihood of exiting the EU without a deal. This had been reflected by increased planning by Central Government.

## **17 WORKFORCE AND SKILLS**

Keith Power, Director, North West Employers, provided a presentation regarding workforce and employment risks facing the Public Sector in the region. This included a number of key sectors including: risk of impact on the National Health Service and Adult Social Care (including Direct Provision and Commissioned Services). It was noted that the challenges being faced were not new. There had always been historic challenges of retention, recruitment and training, but Members were requested to consider the impact of Brexit on the pre-existing issues, with an expectation that they may deepen in the short to medium term.

Items raised by Members:-

- An opportunity was raised in terms of how the Council and partners could look at things differently. An example was cited in relation to police work, with around 20% of their time being spent on issues of criminality, and the remaining time spent providing support for underlying issues, such as mental health. There was scope, therefore, to apply similarly new ways of working to other areas.
- The topic of workforce mobility was discussed, and it was noted that the impact on local skills would not be clear until negotiations were concluded at a national level. It was further noted that the future Local Industrial Strategy would help to determine the scale of skills gap impact, and affected sectors, at a sub-regional level but that further work may be needed to assess the impact of both within Cheshire West and Chester. It was reiterated that the skills gap existing prior to 2016, due in large part to the UK not building its own skills base, as well as demand in particular service areas.
- A number of emerging recommendations were highlighted by Members:-
  - I. The Council should build on existing links with partners, including the Police, NHS, Voluntary and Community Sectors and service providers, to join up work in areas of challenge and opportunity.
  - II. The Council should consider ongoing sectoral analysis, which was being progressed by the Local Enterprise Partnership in areas particularly relevant to the Borough (including life sciences and nuclear sectors).
  - III. The Council should seek to better identify and understand the local impact on the health and social care sector, including through the use of existing information from Skills for Care.
  - IV. The Council should ensure a long-term approach to supporting skills and public sector employment.
  - V. The Council should consider how best to promote the Settled Status Scheme and encourage people to remain in the UK.

## 18 CITIZENSHIP

Andrew McNally, Legal Officer and Penny Housley, Governance Manager, presented an overview of the existing Citizens rights as covered through exiting EU Legislation and Treaties.

Members were provided with headline immigration and emigration statistics, with 5,883 EU nationals currently included on Cheshire West and Chester Council's electoral register. However, it was noted that this figure did not represent the total number of EU nationals living within the borough (for example, those under 18 and others who had chosen not to be included in the register). A summary of electoral considerations was presented, with the current legislation setting out that EU citizens could vote in local elections, but not in national elections, and when residents registered they had to provide their nationality.

Members were informed that Government had confirmed that irrespective of any Deal or lack of Deal, EU nationals would be able to vote and stand as candidates in the May 2019 elections. For those elected as Councillors, they would be granted leave to stay for the duration of their four year term. This detail had been confirmed in ministerial questions and had been issued in government guidance.

Settled and pre-settled status would be available to qualifying and pre-qualified citizens if a withdrawal agreement was reached, but there remained a lack of clarity regarding the potential impact of a No Deal position. The Home Office had issued an information and communication toolkit, and it was recommended that this should be considered for local use as soon as the Settlement Scheme went live, although a number of pilot schemes were currently in operation.

Items raised by Members:-

- It was noted that the Government was accepting further applications to administer the Settlement Scheme by encouraging residents to apply, with funding available to support the process. It was stated that as other local authorities contained a larger proportion of EU nationals within their areas than Cheshire West and Chester, they may offer a greater benefit to the pilot than our relatively small number.
- A number of emerging recommendations were highlighted by Members for considered in the final Cabinet report:-
  - I. The need to make sure that the Council had an active and effective communication strategy, both in terms of clarifying the eligibility of EU citizens and promoting an inclusive and welcoming message to those who live in the Borough;
  - II. To explore potential involvement with the pilot programme, mindful of comments expressed above;
  - III. To better understand local data, which was currently drawn only from a mix of Census and Electoral Register information, so that the Council was able to plan as effectively as possible and accurately evaluate the value of participating in the pilot.

## 19 REGULATORY ISSUES

Vanessa Griffiths, Senior Regulatory Services Manager, gave Members a presentation highlighting the current free movement of goods conditions, which currently removed significant barriers to trade. Goods were sample-tested when

they entered the EU, and were then free to transfer and travel across the EU region.

There were also two key passport marks allowing goods to travel across the EU region (the CE Mark and E-Mark) along with the Consumer Rights Directive which had supported e-commerce across the EU region.

With a Deal agreement, it was proposed that there would still be a common rulebook for goods, but the process for services remained un-known. There was an expectation that there would still be access to important systems such as RAPEX (Rapid Exchange of Information) and TRACES (goods tracing) and therefore, an agreed deal would result in little impact on the movements of goods.

However the situation for a No Deal was different. The UK would operate under World Trade Organisation rules. Under these circumstances, the UK would become a third country in relation to EU goods (after the country of origin and “receiving” countries within the EU) resulting in an increased demand on the UK Border to check and sample goods, and subsequently, on Trading Standards services. The Government would need to find systems to replace the current RAPEX and TRACE. There then raised the potential for increased risk of food crime, with criminals taking advantage of the disruption to systems.

Items raised by Members:-

- It was noted that a transition period in the event of an agreed Deal would provide authorities, including the Council, with time to adapt to any changes in legislation and processes. It would prevent more of a challenge in the event of a No Deal being implemented.
- Confirmation was required that replacements for the RAPEX and TRACE systems were under development, and it was noted that no training had yet been scheduled for the relevant professionals to use them.
- It was expected that training should follow the implementation of the new systems, but with a No Deal and no transition period, would lead to an immediate transfer from current ways of working from 30 March 2019 with less time to prepare.
- It was noted that the Government had confirmed that resources would be made available to implement new legislation and systems, but there were no guarantees about the increase in demand, particularly with reference to Trading Standards, and any additional officers likely to be required.
- It was noted that some measures were already in place – in relation to Food Standards, as the UK already imported goods from non-EU areas. There was the expectation that this would be rolled out to incorporate EU goods in the event of RAPEX and TRACES no longer being used. There was the view that Brexit presented an opportunity to re-assess the level of regulation required to keep people safe, potentially in a way that reduced the current burden on UK businesses.
- It was further noted by Members that risks were present in the area of Regulation, as they were in others, but there were short term risks, and longer term opportunities would continue to be considered.

## **20 PUBLIC EVIDENCE SESSION**

Matt Dodd, Senior Strategy and Innovation Manager, reminded Members of the commitment set out in the Policy Commission’s terms of reference to hold a formal Public Evidence session, allowing residents, businesses and other stakeholders to participate in the process and influence the recommendations of the Commission. This session would be open to the public to attend, and would also be webcast to

maximise community engagement. A Call for Evidence had been issued via a press release and through the Council's social media accounts.

The Public Evidence meeting was provisionally arranged for early February 2019, with further communications (including additional press releases, social media posts and Member briefings) planned to promote it in the New Year. There would also be a letter from the Chair to identify partners and representatives, including Regional Development Boards; Health and Wellbeing Partners, and Employers in the Borough to support them to engage in the process.

The meeting itself would be structured around themes (eg: Economy and Workforce), with presenters confirmed in advance, and the focus would be on what the Council and its partners should do to prepare for a Post-Brexit future locally.

Items raised by Members:-

- Members were in agreement with all the proposals outlined.
- It was noted however, that the duration of the meeting should be decided based upon the number and range of submissions received, as two hours may not be sufficient to cover every theme in sufficient detail, or there may not be many submissions received.

## **21 DATE OF NEXT MEETING**

The provisional dates for the next two meetings of the Policy Commission were noted. They were currently scheduled for 6 February 2019 for Meeting Four and 12 February 2019 for Meeting Five.

Chairman .....

Date .....