

COMMUNITIES AND LOCAL GOVERNMENT SELECT COMMITTEE
INQUIRY INTO BREXIT AND LOCAL GOVERNMENT

Memorandum from the City of London Corporation

Submitted by the Office of the City Remembrancer

Introduction

1. The City of London Corporation welcomes the opportunity to contribute to the Committee's inquiry into Brexit and local government. Although it is not a local authority, the Common Council of the City has responsibility for local authority, police authority and port health authority services. This submission explores the particular concern over the impact of Brexit on the port health and environmental health functions of the Corporation.
2. In its capacity as the Port Health Authority for the tidal Thames (from Teddington in the west to the North Sea coast to the east) and as the Animal Health Authority for Greater London, the City of London Corporation undertakes controls at the borders at all London's ports, docks and wharves, including Tilbury and London Gateway, and also at the Heathrow Animal Reception Centre. Other port health authorities undertake similar functions, but the City Corporation has the most extensive area and the widest range of responsibilities. While central government, through various departments, is the 'central competent authority' for border controls, front line responsibilities are delegated to 'local competent authorities' for veterinary checks and food imported from third countries (those outside the EU) as well as illegally imported animals.
3. The City of London Corporation has been examining the implications of Brexit for port health authorities. The principal concern is about meeting the needs of the potential increase in workload and consequential delays to the movement of food and animal feed between the UK and the continent if this is not achieved. The City Corporation has estimated that Brexit would see an increase in workload of 25% were imports from the EU subject to the same checks as imports from elsewhere. For other ports with a higher proportion of EU trade, the effect might be considerably greater.

Risks and Opportunities for Local Government posed by Brexit

4. Central Government may not fully appreciate the role of local government as a regulator. This lack of appreciation, and any move towards deregulation in respect of animal and public health, could lead to essential controls being overlooked. As indicated above, local government bodies are the local competent authorities for some specialist border controls. These authorities rely on guidance and advice from central government departments and agencies which will need to be maintained post-Brexit. There may also be an expectation that local government will take on more responsibilities post Brexit, but it is essential that any additional responsibility is matched with appropriate funding. Concerns have also been raised about the adequacy of Animal Health controls at some ports and airports are being poorly conducted by some local authorities and the Animal and Plant Health Agency. There is the potential to bring about improvements but, equally, without attention and investment post Brexit, they could deteriorate further.

5. A further concern is that access to training currently provided by the European Commission in relation to food safety enforcement and other professional services could be lost. There is no current equivalent provided by central government departments and agencies. Furthermore, EU nationals are employed widely as Official Veterinarians to undertake veterinary, animal and public health controls. At present, there are insufficient UK qualified veterinarians to replace the EU nationals if they are not permitted to work in the UK under future immigration controls.
6. There is, however, the prospect that Brexit will provide the opportunity for legislation on animal, plant and food health to be updated to ensure that it remains fit for purpose, integrated and risk based and to ensure checks remain proportionate to the potential hazard. Governance arrangements could also be made more relevant at a local level, and able to respond more quickly and effectively to hazards and challenges. For example, at present, high risk imported foods currently need to be declared as such by the European Commission before special measures are introduced to monitor and restrict/ban them. The delay this arrangement can occasion may not be necessary post Brexit.

Measures to provide more certainty and stability for local government in light of Brexit

7. Local government should continue to retain its current specialist functions and regulatory controls at the same or an improved standard, so as to retain the current, or an enhanced level of consumer protection. However, local authorities should be informed at the earliest opportunity of any proposed changes to powers exercised or existing measures and standards enforced at a local level, so that local government can plan accordingly. Confirmation is needed that local government will be properly funded for existing and any new responsibilities post Brexit. Similarly, local government must be informed now of any contingency planning that is expected, particularly at the borders, and sufficient funding made available, as otherwise it will be unable to prepare properly and in a timely manner.

Devolution directly from the EU to local authorities

8. Local authorities are already charged with delivering improvements to air quality in their areas to meet European Limit Values and this responsibility should be retained, albeit recognising that central government also has a role to play. Food safety and standards in many premises are also enforced at a local level and this should be continued, and potentially expanded, to ensure that those premises that wish to export foods to the EU, and which may require specific approvals in future, can be inspected and given appropriate authorisation promptly and efficiently. Local authorities that currently deliver border controls are well placed to continue doing so, as their staff have the expertise and experience as well as industry confidence.

Local government's voice in the Brexit negotiations

9. Local government is only now just starting to be properly consulted, so its role and full range of responsibilities have not been fully understood to date. Government departments, including DExEU should ensure that they consult and consider local authorities in their planning for post Brexit arrangements, particularly if any changes

to existing arrangements are envisaged or proposed. Central government needs to understand, at all levels, the full range of responsibilities undertaken by local government, including at the borders on behalf of the UK and in relation to the health and wellbeing of communities. Border controls administered by local government are overseen by several government departments, so there needs to be a joined-up approach to avoid duplication and promote consistency.

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