

POLICY AND RESOURCES COMMITTEE

16 December 2020

Is the final decision on the recommendations in this report to be made at this meeting?

No

EU Transition

Final Decision-Maker	Policy and Resources Committee
Lead Head of Service	Chief Executive
Lead Officer and Report Author	Director of Finance and Business Improvement
Classification	Public
Wards affected	All

Executive Summary

The transition period following the UK's exit from the EU is due to end on 31 December 2020. New border controls and trading arrangements will come into effect at this point. This report describes the plans that are being made by the Council and the Kent Resilience Forum to address potential disruption to traffic and other impacts.

Plans for EU transition remain fluid, with no agreement on new trading arrangements at the time of writing this report. A verbal update will be provided at the meeting on the latest position.

This report makes the following recommendations to this Committee:

1. That it notes the plans described in this report.

Timetable

Meeting	Date
Policy and Resources Committee	16 December 2020

EU Transition

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities.</p>	Director of Finance and Business Improvement
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation do not have a material impact on the cross-cutting objectives.</p>	Director of Finance and Business Improvement
Risk Management	Refer to paragraph 4 of the report.	Director of Finance and Business Improvement
Financial	The KRF and local authorities with port facilities have received funding for EU transition. This Council's costs for dealing with the current transition to new trading arrangements are primarily staff-related and are being met from within existing budgets.	Director of Finance and Business Improvement
Staffing	We will deliver the recommendations with our current staffing.	Director of Finance and Business Improvement
Legal	The report describes how the Council is	[Legal Team]

	fulfilling its responsibilities in relation to EU transition under the Civil Contingencies Act 2004.	
Privacy and Data Protection	EU transition will have implications for the handling of data but this is outside the scope of the current report.	Policy and Information Manager
Equalities	No implications arising from this report.	Equalities and Corporate Policy Officer
Public Health	It is recognised that dealing with current public health crisis alongside EU transition will lead to extra pressures on the Council. This is addressed in the report.	[Public Health Officer]
Crime and Disorder	There will be implications for the enforcement of traffic regulations arising from the likely disruption caused by EU transition. These will be addressed primarily by the police. As part of the Kent Resilience Forum the Council will liaise and support as necessary.	Director of Finance and Business Improvement
Procurement	No implications.	Director of Finance and Business Improvement

2. INTRODUCTION AND BACKGROUND

- 2.1 The UK exited the European Union on 31 January 2020 and entered a transition period, during which it has continued to be treated as a Member State for the purpose of trading arrangements and border controls.
- 2.2 When the transition period ends, the UK will no longer be a member of the Single Market or the Customs Union. New border controls and checks will be implemented which will impact the short Channel crossings, with the UK treated by the EU as a third country and subject to full third country controls and a variety of border checks. Even if a trade agreement is reached, new customs declarations and some new border checks will still be required.
- 2.3 These changes are likely to have an impact not only on the Channel ports but across a wider area. The main impact is likely to be in the form of disruption to traffic. Extensive work has taken place by the Kent Resilience Forum, of which Maidstone Borough Council is a member. This builds on experience preparing for the risk of a 'no-deal' Brexit at two earlier stages during the course of the UK's departure from the EU. The KRF has now published its Operation Fennel Plan, which seeks to mitigate traffic disruption. The Plan is attached as Appendix 1.

2.4 The core of the plan is a series of traffic management measures that will be implemented sequentially if and when disruption escalates. These are known as:

- Tap A20
- Brock M20
- Brock Manston

Each is described in the attached appendix. Operation Stack, which involves the full closure of the M20, is described as an emergency contingency option and would only be implemented as a last resort.

2.5 While much of the plan deals with arrangements at the Channel ports and the surrounding area, experience of Operation Stack in 2015 shows that disruption can quickly have an impact in the Maidstone area. This can take the form, for example, of traffic diverting from the M20 on to local roads.

2.6 One of the key variables in any plans for EU transition is the number of HGVs which are not 'border ready'. The Kent Access Permit, which is described on page 11 of the Operation Fennel Plan, is intended to prevent such traffic entering Kent. Steps are being taken to ensure effective enforcement against non-compliant vehicles.

2.7 Communities adjacent to the M20 are particularly exposed to the risks from traffic disruption. A Community Impact Assessment has been carried out to consider the likely impacts. Maidstone Borough Council will work with the local communities to ensure that essential supplies can continue to reach those that need them in the event of disruption.

2.8 Throughout the period of transition, our Communications Team, working in liaison with communications officers in other Kent authorities, will ensure that the Council provides up to date and reliable information through our website, social media and all the other usual channels.

Interaction with Covid-19 health emergency

2.9 KRF and its member agencies face a huge challenge in having to deal with two concurrent incidents: Covid-19 response/recovery and the end of the transition period. From an organisational perspective, KRF has addressed this by establishing an integrated command and control structure. Accordingly, rather than having two parallel groups of officers and cycles of meetings, a single structure has been designed, with the key co-ordinating groups having responsibility for responding to both Covid-19 and EU transition.

2.10 Locally, Maidstone Borough Council will make use of one-off Covid-19 grant funding to make sure that its response to the pandemic is suitably resourced, and so far as possible that the Council is not adversely impacted by having to deal concurrently with issues arising from EU transition.

3. AVAILABLE OPTIONS

- 3.1 Report is for noting only.
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4. RISK

- 4.1 Both the KRF and the Council have considered the risks around EU transition carefully throughout the process of developing our plans.
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5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The KRF has engaged with councils across Kent about their plans. Specifically, in relation to Maidstone, Barbara Cooper and Toby Howe of KCC, along with Nicky Potts of Highways England, attended a meeting of our Joint Transportation Board on 14th October 2020 to provide a briefing.
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6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 As set out above, the key date for planning purposes is 31 December. Members will be briefed as appropriate as the process of adapting to the new 'third country' trading and border control regime develops.
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7. REPORT APPENDICES

- Appendix 1 – Kent Resilience Forum: Preparing Kent for the end of the Brexit Transition Period
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8. BACKGROUND PAPERS

None.