

Subject:	Brexit Contingency Planning: Response to Full Council Notice of Motion		
Date of Meeting:	10th October 2019		
Report of:	Executive Lead for Strategy, Governance & Law (Monitoring Officer)		
Contact Officer:	Name:	Dee Humphreys,	Tel: 01273 290555
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Ward(s) affected:	(All Wards);		

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) was that it was necessary to await the outcome of the Extraordinary Council meeting held on 3 October 2019.

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report is written in response to a Notice of Motion (NoM) agreed at the July 2019 Full Council meeting.
- 1.2 As requested this report and appendices provide members with an oversight of Brighton & Hove City Council's Brexit contingency planning, some of which has been informed by national best practice as well as being developed by council officers, members and city partners.
- 1.3 The report also details steps that have been taken to implement the other recommendations in the NoM.

2. RECOMMENDATIONS:

- 2.1 That the Committee note the content of this report and appendices.
- 2.2 That the Committee agrees to the continuation of BHCC's contingency planning for Brexit, which will continue to be informed by national best practice and include developing key resilience building opportunities for the council and city aligned with the council's strategic priorities.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 This report is in response to the Notice of Motion agreed at Full Council on 25th July 2019. The Notice of Motion provided:

“This Council notes:

- the continuing evidence of damage, that any form of Brexit – but particularly a “no deal” Brexit – will cause the economy, the employment status of its residents and the likelihood of EU nationals achieving Settled Status here;
- the loss of European Regional Development Fund funding if the UK leaves the EU;
- the funding of £210,000 per unitary authority secured by MHCLG to be spread over two years to help such authorities prepare for the UK’s departure from the EU;
- the continuing issues around the EU Settlement Scheme which many EU nationals remain unaware of.

This Council requests that the Chief Executive:

- write to James Brokenshire (MHCLG) asking how the government proposes to cover the loss of ERDF funding and requesting a freeze on small business rates following the UK’s departure from the EU;
- report to the Policy, Resources & Growth Committee on the council’s own contingency planning while noting best practice from other councils;
- promote partnerships to co-ordinate the immigration advice available to EU nationals in the city (personal support for EU citizens resident in Brighton & Hove who require assistance during the application process and access to scanners for their Settled Status documentation) and
- apply for the limited central government funding that has been announced to build capacity within the Community & Voluntary Sector to provide such advice.”

3.2 Actions to date in relation to the requests above are as follows:

- ***write to James Brokenshire (MHCLG) asking how the government proposes to cover the loss of ERDF funding and requesting a freeze on small business rates following the UK’s departure from the EU;***
- The Chief Executive wrote to the Secretary of State on 9th September 2019 and a copy is attached in the appendices to this report. The council has received no response to date.
- ***report to the Policy, Resources & Growth Committee on the council’s own contingency planning while noting best practice from other councils;***
- See from 3.3 below and appendices.
- ***promote partnerships to co-ordinate the immigration advice available to EU nationals in the city (personal support for EU citizens resident in Brighton & Hove who require assistance during the application process and access to scanners for their Settled Status documentation);***

- See from 3.31 below.
 - **apply for the limited central government funding that has been announced to build capacity within the Community & Voluntary Sector to provide such advice.**
 - See from 3.33 below.
- 3.3 In 2016 after the EU referendum the council formed an officer group to look at potential impacts on the city and council of the UK leaving the EU. Potential areas of impact were identified and high level analysis provided. The PPS team continued to monitor developments and teams across the council did the same, including Brexit considerations in some policy development e.g. Economic Strategy.
- 3.4 In 2018 a new officer group was formed, with membership from all directorates, called the Brexit Resilience & Planning Group to work together to monitor and mitigate potential impacts of Brexit on the city and council. It has been primarily focused on a 'no deal' scenario and ensuring we have considered potential outcomes in all our service planning. Business Continuity Plans for every directorate reflect possible impacts and Brexit is part of our Risk Register. Situation Reports (SitRep) are being completed by officers from across key areas in the council to ensure we maintain corporate oversight of activity, specific risks and emerging issues.
- 3.5 A report to Policy, Resources & Growth Committee in Dec 2018 outlined the council's approach to Brexit planning at that time and includes further analysis of potential impacts from different Brexit scenarios, including 'no deal'. This report provided the basis for the development of the council's Brexit strategic risk.

Current Contingency Planning

Corporate Oversight

- 3.6 The Policy, Partnerships & Scrutiny Team are maintaining a corporate coordinating role for all Brexit related activity happening within the organisation with links to city partners where necessary action is identified.
- 3.7 The Brexit Lead for the council is the Chief Executive – A role requested by the Ministry for Housing, Communities & Local Government.

Strategic Risk

- 3.8 Brexit impacts have been identified as a specific risk on the Council's Risk Register (SR35) and also the city's. Oversight of the city risk is managed by the City Management Board (CMB).
- 3.9 The Strategic Risk was reviewed in September 2019 and is provided in the appendices to this report.
- 3.10 Brexit is a standing item at meetings of the Executive Leadership Team, maintaining strategic oversight of the planning for potential impacts, and also

within individual Directorate Management Team meetings where established Business Continuity Plans are taking account of possible ‘no deal’ impacts.

Brexit Member Working Group (MWG)

- 3.11 A cross-party member working group was established at the beginning of 2019 and maintains political oversight of the council’s actions to mitigate the strategic risks to the council and city caused by the UK’s Withdrawal from the EU and coordinates relations with city stakeholders and communities where potential impact has been identified.
- 3.12 The members of the group are listed below:

Member Name	Group Representing
Cllr Dan Yates (Chair)	Labour Party Group
Cllr Phelim Mac Cafferty	Green Party Group
Cllr Lee Wares	Conservative Party Group

Brexit Resilience & Planning Group (BRPG)

- 3.13 The BRPG is the officer group responsible for identifying possible risks and emerging issues related to Brexit and provides information for corporate dissemination through completing a weekly Situation Report (SitRep) which is shared with the Leader, Member Working Group and senior officers and also highlights emerging capacity, funding and communications issues that may need ELT and political oversight.
- 3.14 The group has scheduled weekly meetings until November 2019 to ensure risks and issues are shared and solutions can be sought in a timely fashion and links in with the emergency planning work carried out by the Sussex Resilience Forum.
- 3.15 The council’s contingency planning activity, including scheduling of physical meetings and monitoring reports, will be kept under review in consideration of Government planning assumptions.
- 3.16 The core membership of the BRPG and the potential impact areas are listed below:

Role / Responsible Area	Officer Name	Directorate
Chair	Abraham Ghebre-Ghiorghis	Strategy, Governance & Law
Response Coordination	Dee Humphreys	Strategy, Governance & Law
Legal	Sara Zadeh	Strategy, Governance & Law
Policy/Partnerships	Simon Newell	Strategy, Governance & Law
Communications	Clare Saul	Strategy, Governance & Law
Transport, Infrastructure, Air	Mark Prior	Economy, Environment & Culture

Quality & Shoreham Port		
Emergency Planning (SRF)	Annie Sparks	Neighbourhoods, Communities & Housing
Food Safety and Standards Consumer Rights	Jo Player	Neighbourhoods, Communities & Housing
Communities	Emma McDermott	Neighbourhoods, Communities & Housing
Economy	Max Woodford	Economy, Environment & Culture
Workforce	Ali McManamon	Finance & Resources
Health & Care Services	Andrew Witham	Health & Adult Social Care
Public Health	Alistair Hill	Health & Adult Social Care
Families, Children & Learning	Carolyn Bristow	Families, Children & Learning
Finance	Jill Fisher	Finance & Resources
Data	Heidi Judd	Orbis
Technology	Al Brown	Orbis

Sussex Resilience Forum (SRF)

- 3.17 BHCC is a member of the Sussex Resilience Forum. The SRF is a multi-agency partnership whose members have statutory responsibilities under the Civil Contingencies Act 2004, to work together to prepare, respond to and recover from emergencies and major incidents.
- 3.18 The SRF has completed its own Brexit Sussex wide risk assessment which is shared with the Ministry for Housing, Communities & Local Government.
- 3.19 The SRF convenes weekly conference calls for a working group that allows for the sharing of information across the county. A Strategic Coordinating Group has weekly meetings and convenes a tactical group when necessary. Risks and issues are regularly recorded in a Common Operating Picture report which will be shared with MHCLG.
- 3.20 BHCC officers also attend planning workshops and table-top exercises to identify and mitigate potential risks at a regional and county level through the SRF. Recent training has been adapted for delivery to senior BHCC officers to help identify potential gaps in planning.

Task & Finish Group – Supply Chains & Logistics

- 3.21 The SRF have allocated out work streams to Sussex local authorities and agencies. BHCC are responsible for looking at Supply Chains and Logistics in the event of 'no deal'. This work stream is currently being developed and involves engagement and consultation with key stakeholders across Brighton & Hove and the county.

CMB & SE7

- 3.22 In April 2019 the City Management Board held a meeting focussed on planning for civil unrest in the city and has identified Brexit as a city wide risk in order to maintain a coherent response across city partners.

- 3.23 The Chief Executive is in regular contact with other regional Local Authorities through the SE7 group to highlight emerging issues and risks surrounding Brexit impacts on the city which are relayed to MHCLG through the lead officer, Becky Shaw, Chief Executive of East Sussex County Council.

Communications

External

- 3.24 At the beginning of 2019 the council started a social media push around Brexit to make sure EU residents, people visiting the EU and local businesses were being signposted to GOV.UK content. This was paused after a leave extension was agreed but the Communications Team has begun to push this messaging again across social media platforms and media briefings.
- 3.25 A Brexit resource page has been created by the Digital Communications Manager and is live on the BHCC website, shaped around supporting residents and businesses to prepare and linking to GOV.UK guidance as well as local advice and support for people wishing to apply for the EUSS.
- 3.26 A communications officer with special responsibility is being recruited due to the size of the task of communicating prep, support and response to Brexit including media briefings.

Internal

- 3.27 The Communications Team have messaged the BHCC workforce around current preparation activity. Newsletters have included Brexit updates and information on applying to the EUSS scheme has been shared and is available on the council intranet.
- 3.28 Senior officers have been briefed at the October Leadership Network meeting and the Brexit Coordinator has been designated a contact point for staff with questions or concerns related to Brexit. Officers are encouraged to highlight what information they 'don't know' in order to ensure issues can be sensibly escalated and responded to in a timely fashion.

Sussex Warn & Inform Group (SWIG)

- 3.29 BHCC's Head of Communications is a member of the SWIG, which is the communications arm of the Sussex Resilience Forum and has adopted a tailored strategy to maintain coordinated communications across Sussex related to Brexit resilience and planning.
- 3.30 The BRPG have compiled a resource identifying risks and local authority mitigation activity to date which is attached as an appendix to this report and is available on the council's Brexit webpage.

Immigration Advice

Background

- 3.31 In 2018 the Migrant Needs Assessment highlighted the lack of qualified immigration advice in the city which has also been highlighted as a risk within the context of Brexit.

Partnerships

- 3.32 BHCC's Community Safety Manager with responsibility for Refugees & Migrants chairs the Sussex & Surrey Strategic Migration Partnership, which also brings Migrant Help and Home Office officials to the table providing regional oversight to the advice situation and keeping it under constant review. Similarly there is currently a virtual group including Brighton Housing Trust and Moneyworks monitoring demand levels for advice services in the city.

National Funding for Advice

- 3.33 The Government funding for specialised immigration advice related to EUSS was made available in 2018, but not to local authorities and local CVS organisations did not want to bid for funding due to the onerous process of bidding, the criteria attached to the payment of funding, ongoing performance monitoring from the Home Office balanced with the lack of evidence around local need for such a service.
- 3.34 Migrant Help won the Government funding and is now delivering outreach advice in Brighton & Hove for vulnerable EEA migrants who need help to register under the EU Settlement Scheme.
- 3.35 These sessions are specifically targeting EU nationals or family members who are currently homeless, living in Roma & traveller communities, young adults who have left care, the elderly, victims of modern slavery, and people with disabilities, literacy or health issues.
- 3.36 The Migrant Help adviser is based at Voices in Exile's drop-in sessions on Tuesdays (1.30-4.30pm) and Fridays (11-2pm) to advise on what is needed to apply and make the applications directly.

BHCC ID Checking Service

- 3.37 The council has launched a free identity checking service at Brighton Town Hall to help EU citizens complete their EU Settlement Scheme application. This service is free and is available on a drop-in basis at the Register Office: Monday, Tuesday, Thursday and Friday: (9.30-12pm) – Wednesday (10-12pm). Further details have been made available on the council's Brexit webpage and an extension to this service is currently being developed for provision through Jubilee Library.

Brexit Contingency Funding

- 3.38 BHCC had received £210,000 from the Ministry for Housing, Communities & Local Government (half received 2019/20 - half to be received in 2020/21) with an additional £104,984 announced by the Secretary of State in August 2019.

3.39 The Sussex Resilience Forum had received £76,000 at the beginning of 2019 with an additional £158,200 being allocated by MHCLG in August 2019. The SRF will prioritise funding needs with input from all members, including BHCC.

Brexit Response & Recovery Fund

3.40 As we are planning for a ‘no deal’ scenario it is thought best practice to establish a fund, from a portion of the Government funding with a fast & efficient protocol for accessing that will enable the council to respond to events post the 31st October leave date. To ensure the council can act quickly, delegated spending power should be assigned to the BHCC Brexit Lead.

3.41 The BRPG will identify the areas they think could require additional resource after the leave date which will be shared for approval with ELT and the MWG.

Current Funding Priorities

3.42 The current funding priorities for the council are outlined below and new requests are identified through the BRPG with oversight from ELT and the MWG:

Funding Priority	Background Info
Brexit Coordinator Role	<ul style="list-style-type: none"> Due to the current volume of work related to Brexit which will potentially increase nearing the exit date and after, including monitoring risk and coordination of communications, resource considerations and emergency planning across the organisation and city it is thought best practice to have a dedicated role for coordination of Brexit related activity. The current lack of corporate capacity to deliver this effectively means this was set as a high priority and recruitment has been successful.
Cost	<ul style="list-style-type: none"> M11 Grade, 6 month secondment - £17000.00
EUSS Assistance Service	<ul style="list-style-type: none"> An ID checking service is now being provided through the Register Office and will be rolled out to Jubilee Library in October 2019. 4 android devices have been purchased to allow applicants to access the EUSS scheme app.
Cost	<ul style="list-style-type: none"> 4 x scanners - £700.00 (1 scanner costs £175.00 exc. VAT)
Resilience & Risk Management Training	<ul style="list-style-type: none"> Brexit brings the need to be prepared, being responsive and implementing contingency planning, managing risk and being resilient. Also working closely with our partners. Training needs to be included in our BREXIT preparations, and planning and this is an opportunity to train BHCC staff at a high level and ensure we have cover and resilience across a number of services. Training will take place on 25th October 2019.
Cost	<ul style="list-style-type: none"> Emergency Planning College Training Day - Est: £7000.00
Brexit Communications Officer	<p>Job Description:</p> <ul style="list-style-type: none"> Support the administration, ELT, Brexit Lead, Brexit Co-ordinator, and Brexit stakeholder groups, by providing communications and public relations advice to help Brexit planning. Develop and co-ordinate with lead members and senior officers key corporate messages, and ensure consistency across external and

	<p>internal channels.</p> <ul style="list-style-type: none"> • Communicate information targeted towards residents, businesses, Members, media, staff, partners and other city stakeholders on the impacts of Brexit in Brighton & Hove. • Organise engagement activities at specific groups, for example Member briefings, media briefings, and staff briefings on Brexit. • Maintain external and internal digital resource libraries to provide advice and guidance on Brexit. • Respond to public queries received through social media, media queries received through our News desk, and hold Q&A sessions with staff. • Commission graphic design, audio, filming, and paid for advertising to effectively communicate news and information. • Assist on other relevant change communications, and work as part of a wider Communications Team.
Cost	<ul style="list-style-type: none"> • M11 Grade, 6 months - £17000.00
Total	<ul style="list-style-type: none"> • £41700.00

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 This report provides information requested by Full Council rather than making substantive recommendations. There are consequently no alternative options to be considered.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 None directly, although some of the information included in the appendices to this report was developed with the input of city partners.

6. CONCLUSION

6.1 This report outlines actions in response to a Notice of Motion agreed at July 2019 Full Council.

6.2 As requested by Full Council, the report and appendices provide oversight of BHCC's Brexit contingency planning to date including provision of the ID checking service for the EUSS scheme at Brighton Town Hall and specific advice for vulnerable EEA residents in the city.

6.3 A corporate response to Brexit including contingency planning at a local and county level is now being coordinated through a single officer role with specific Brexit responsibility.

6.4 Emergency contingency planning is being led by the Sussex Resilience Forum with the involvement of key senior BHCC officers and the Emergency Planning Team.

6.5 BHCC, the city and the county are in a better position now in their planning than they were before a leave date extension was agreed with business continuity plans reviewed and channels of communication open around specific areas of risk that will allow for quick escalation of emerging issues in the days and weeks

preceding 31st October 2019. However, many issues still remain unclear and plans continue to be developed and partners engaged.

7. FINANCIAL & OTHER IMPLICATIONS:

- 7.1 The cost of co-ordination and planning for Brexit will be met from the funds provided by national government. However, should further expenditure be needed in response to developments, Officers will use delegated powers, including urgency powers where necessary or seek authorisation from Members.

Finance Officer Consulted: Jill Fisher

Date: 08/10/19

Legal Implications:

- 7.1 The proposed actions are within the council's general power of competence or the Council's duties under the Civil Contingencies Act. Some of the responsibility sits with central government or other statutory agencies. Where that is the case, the Council is working in collaboration with relevant partners.

Lawyer Consulted: Abraham Ghebre-Ghiorghis

Date: 08/10/19

Equalities Implications:

- 7.2 Whilst it is difficult to be certain of the equalities impacts of a 'no deal' Brexit it is understood that the city's most vulnerable may be significantly impacted by a 'reasonable worst case scenario' as outlined in the Government's planning assumptions, including rises in the cost of food, fuel and energy.
- 7.3 The council already considers vulnerable people within its business continuity planning and is currently monitoring risks and emerging issues that will impact on the city's most vulnerable residents, as outlined in the Brexit Readiness Report in the appendices. Further long-term development of plans may be required as the 'no-deal' scenario unfolds.
- 7.4 Brighton & Hove is home to a large number of EEA nationals, some of whom may not be successful in their application for EUSS in which case they will lose their rights of residency, employment and recourse to public funds. BHCC Welfare Team is currently providing advice and support and the situation is being monitored.
- 7.5 The EUSS application system has implications for EU citizens who are digitally excluded. People who are ill, isolated or hard to reach, have a learning disability or a physical disability such as impaired sight, or lack language skills are likely to require support with applying.
- 7.6 The council are providing a free ID checking service at Brighton Town Hall and Migrant Help are providing further assistance to vulnerable EEA residents to apply. Signposting and communicating these services will be prioritised throughout October 2019 and in the run up to the 'no deal' scenario leave date on 31st December 2020 depending on national developments.

- 7.7 Due to the nature of discourse in the national media related to Brexit there may be a rise in community tensions around the time of a 'no-deal' leave date and a rise in hate crime. This is currently being monitored through normal council and partnership channels.

Sustainability Implications:

- 7.8 Without knowing the exact circumstances under which the UK will leave the EU it is difficult to outline the impacts on sustainability with certainty. However, business continuity plans should consider potential sustainability impacts.
- 7.9 Potential longer term impacts and those which may emerge nearer the exit date will continue to be monitored and the city's sustainability and resilience planning will consider potential changes to regulations in the case of a 'no-deal' Brexit scenario.

SUPPORTING DOCUMENTATION

Appendices:

1. Letter to The Rt Hon Robert Jenrick, Secretary of State for Housing, Communities & Local Government - 9th September 2019.
2. BHCC Brexit Readiness Report - October 2019.
3. BHCC Strategic Risk 35 (SR35) - 7th October 2019.

Documents in Members' Rooms

None.

Background Documents

None.

