

EXECUTIVE – 7 FEBRUARY 2019

## **BRIEFING ON INFORMATION FROM THE MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT (MHCLG) ON PREPARATIONS FOR BREXIT**

On Monday 4 February 2019 the Chief Executive received a letter (Appendix 1) from Rt Hon James Brockenshire MP from MHCLG about preparing for a potential 'no deal' Brexit. The letter highlights the importance of planning for a no deal scenario, outlines the support that MHCLG will give Local Government, including £35,000 additional funding over two years, and includes a check list (Appendix 2) of different areas that should be considered as part of our preparations.

The Council had already begun to consider Brexit. Officers are attending regular meetings of the Surrey Local Resilience Forum, comprised of representatives from Surrey County Council, the Police and NHS England, to discuss Brexit preparations, and an assessment has been completed to assess the likely impact of a no deal Brexit on Woking Borough Council services. The likely impact is considered to be low at this stage.

Brexit was also discussed at the last meeting of the Overview and Scrutiny Committee on 21 January 2019, where it was agreed that it would be difficult to prepare for Brexit without more clarification from Government.

Now that some information has been received from Government, CMG will consider what action needs to be taken at their next meeting on Monday 11 February 2019.





**Ministry of Housing,  
Communities &  
Local Government**

To: All Leaders of English local authorities

**The Rt Hon James Brokenshire MP**  
*Secretary of State for Housing, Communities and  
Local Government*

**Ministry of Housing, Communities and Local  
Government**

4th Floor, Fry Building  
2 Marsham Street  
London SW1P 4DF

Tel: 0303 444 3450

Email: james.brokenshire@communities.gov.uk

[www.gov.uk/mhclg](http://www.gov.uk/mhclg)

31 January 2019

## **Preparations for Brexit**

I wanted to take the opportunity to write to update you on preparations for Brexit.

The Government remains focussed on securing a deal with the EU allowing both national and local government the agreed implementation period, until December 2020, to manage a successful transition. However, Government also believes it to be responsible and prudent to prepare for a potential 'No Deal' scenario. Indeed, Cabinet recently discussed this point and has agreed that we must step up our 'No Deal' preparations.

A significant amount of work has been undertaken nationally and I know local government has similarly risen to the challenge. However, whichever scenario develops in 2019, Government is clear about the important role local government will play in ensuring our successful transition, but you are not alone.

As I set out at the LGA conference last year, I am absolutely committed to both support local government and champion the sector's interests across Whitehall as we prepare for Brexit. At the same time, it is essential you are all undertaking the necessary local planning and preparations. As elected representatives responsible for the public services upon which all our citizens rely, no matter our political views, I am sure we can agree that maximising the opportunities of Brexit whilst mitigating any potential short-term adverse impacts must be our priority. As such, I wanted to write to you to set out:

- i) the support that the Government is committed to providing local authorities; and
- ii) the Government's expectations in terms of local authority preparedness between now and the end of March.

### *Support from Government - EU Exit Local Government Delivery Board*

As you may be aware, last year I established a Board which brings together sector leaders from the LGA, County Councils Network, District Councils Network, London Councils and the Core and Key City Groupings with Ministers from a range of departments to discuss the most pressing Brexit issues for local government. This Board has proved to be invaluable and will continue throughout 2019 as the key forum for Brexit concerns and opportunities to be discussed and for sector preparedness and Government support to be reviewed.

### *Support from Government – Technical advice*

My officials, working with colleagues from across Whitehall recently hosted a series of regional workshops to provide appropriate technical advice to your chief officers and heads of service. To date, I understand that in excess of 350 officers from over 200 local authorities have attended four events across the country, with very positive feedback received. I am pleased to confirm that we will build on these events and the provision of advice and guidance from government officials to your officers will continue at pace throughout 2019.

Councillors are often the first port of call for queries from local businesses and residents and therefore need and want access to Government's Brexit advice. To this end, I am pleased to confirm that MHCLG has developed a dedicated webpage for local government that signposts to all published Government guidance on the Government's website (Gov.uk)<sup>1</sup>.

In addition, attached to this letter, you will find a check-list based on the guidance above, which sets out the main ways in which Brexit is expected to affect your council's business. I hope this will help you in identifying and prioritising the actions you need to take. My officials will be writing to your officers with more detail and supporting information.

### *Support from Government – funding*

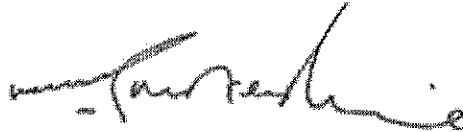
I am pleased to confirm that MHCLG has been successful in securing additional resources from HMT as part of the Brexit funding announced by the Chancellor at Budget, to which I have added from Departmental resources. This week I announced £56.5 million of funding to help you prepare for EU Exit. Councils will receive £20 million this financial year as well as £20 million to spend in the next financial year to fund additional planning and capacity. Across the two years, all district councils will receive £35,000, all county councils will receive £175,000, all unitaries will receive £210,000 and all combined authorities will receive £182,000. £1.5 million will be allocated in 2018/19 only to specific local authorities facing immediate impacts from local ports, with details of the allocation and distribution of that funding to be announced shortly. I am retaining £10 million for allocation during 2019/20 to respond to specific local costs that may only become evident in the months after we exit the EU. Finally, £5 million will be split between teams in my Department and the local government sector for specific purposes such as strengthening resilience preparations and supporting communities. My officials will write to your officers with details. This funding will help councils to adapt to changes caused by Brexit, while still protecting vital local services.

---

<sup>1</sup> [Local Government Brexit Preparedness](#)

Finally, I would like to thank you for your resilience throughout this uncertain period and for the ongoing work you are undertaking within your authority and with your local partners to prepare for EU exit.

If you would like to further discuss content of this letter, please do get in contact with my office via [LSEngagement@communities.gov.uk](mailto:LSEngagement@communities.gov.uk)

A handwritten signature in black ink, appearing to read 'James Brokenshire', written in a cursive style.

**RT HON JAMES BROKENSHERE MP**



### **Annex: Local authority Preparedness Check List**

As leaders of place and with responsibility for local authority services, council leaders and their senior colleagues will want to assure themselves that their council has undertaken the necessary EU Exit impact assessments, relevant planning and prepared appropriate mitigation plans in relation to the following areas:

1. **All the statutory services for which the council is responsible.** These will include, but are not limited to social care, child protection, education, environmental, leisure and community services.

Members will want to be assured that the council has undertaken an assessment of the proportion of EU nationals in its workforce and/or those employed in commissioned services and in relevant supply chains. If there is a significant risk, have members been assured that communications channels are in place to support and advise members of the workforce and that contingency plans are in place.

2. **All regulatory services for which the council is responsible.** These include, but are not limited to environmental health, trading standards and port health authority responsibilities.

Members will want to be assured that the council has undertaken an assessment to consider the potential impact on your regulatory services, including putting contingency plans in place to respond to increased demand.

3. **The impact (direct or indirect) of any Border areas** (air or sea ports) either in your council boundary or within neighbouring/regional boundaries, which may have an impact on your council's:

- Local infrastructure;
- Delivery of statutory services;
- Availability of essential supplies; or
- The most vulnerable in your community.

Members will want to be assured that the council has considered whether it will face either direct or indirect impacts on the provision of essential services if there are delays at the border. Assessments should include a consideration of potential transport flows, impacts on local infrastructure and the potential impact on the delivery of key supplies that maintain council services (whether in house or outsourced), be they care homes, schools or waste plants for example.

4. **The impact on supply chains;** both those managed directly by the council and those indirect contracts managed through commissioned services.

Members will want assurances that their council and any strategic delivery partners that they have impact assessed their supply chain and that appropriate mitigation plans are in place in order to assure the council of their preparedness for any identified risk to the delivery of statutory services. Tested channels of communication should also be established with outsourced and commissioned services to ensure timely flow of information.

5. **Data handling** both in terms of the corporate ICT and data housing that the council uses for its own services, as well as the data handling for any outsourced services. Councils must make sure they are clear about where their data is held.

Members will want to ensure that their council have undertaken necessary assessments and that business continuity plans in place for all ICT and data handling that impacts the council. In the event that any of the council's data is hosted in the EU, the council will want to be assured that contingencies are in place considering the potential impact of a 'no deal' scenario hindering the flow of information across the EU border. The ICO have published guidance on this that councils should follow, and my officials will shortly be writing to your officers on this matter.

6. **Local partnership working** with key statutory and strategic partners, including the Health and Wellbeing Board, Crime Reduction or Community Safety Partnership, Local Economic Partnership and Local Resilience Forums.

As leaders of place, the local authority will want to ensure that all local partners and local partnerships are effectively planning and considering mitigations for EU Exit. Members will want to seek assurance that partnership plans have been agreed and tested; for example, in order to support and protect the most vulnerable and at risk and plan in relation to managing any increased community tensions or hate crime.

7. **Communications.** Appropriate plans and activity to provide community assurance and provision of timely information.

The UK's exit from the EU has created significant tensions as well as mis-information and/or expectations in communities. As the leader of place, members of the council may have an important role to play in providing:

- Timely updates for example in relation to promoting the UK Settled Status Scheme or advice to local businesses;
- Clarity of information to respond to any risks of potential heightened community tensions; and
- Community assurance as trusted leaders and sources of information and advice.

Members will therefore want to be assured that their council has prepared and tested communications channels with its ward councillors, statutory partners and all its community leaders/groups. Members will also want to be assured that the council is prepared for a potential impact on town halls and other community facing front of office desks, with increased community demand for information.

In addition, national government will be providing regular updates through a number of channels; including a series of new regional hubs led by a local authority chief executive from each of the regions across the country. Members should assure themselves that their chief executive is in contact with their regional colleagues who are leading these hubs, as these individuals will provide an opportunity to not only to provide Government updates, but also to escalate any concerns or developing issues back into Whitehall.