CULTURE, TOURISM, EUROPE AND EXTERNAL AFFAIRS COMMITTEE

AGENDA

28th Meeting, 2020 (Session 5)

Thursday 19 November 2020

The Committee will meet at 9.30 am in a virtual meeting and will be broadcast on www.scottishparliament.tv.

1. **Negotiation of the future relationship between the European Union and the UK Government:** The Committee will take evidence from—

   Michael Russell, Cabinet Secretary for the Constitution, Europe and External Affairs, Alan Johnston, Deputy Director, EU Exit Readiness, and David Barnes, Head of EU Exit Strategy and Negotiations, Scottish Government.

2. **Consideration of evidence (in private):** The Committee will consider the evidence heard earlier in the meeting.

Stephen Herbert

Clerk to the Culture, Tourism, Europe and External Affairs Committee
Room T3.40
The Scottish Parliament
Edinburgh
Tel: 0131 348 5234
Email: stephen.herbert@parliament.scot
The papers for this meeting are as follows—

**Agenda item 1**

Note by the Clerk

PRIVATE PAPER

CTEEA/S5/20/28/A

CTEEA/S5/20/28/1

CTEEA/S5/20/28/2 (P)
Culture, Tourism, Europe and External Affairs Committee

28th Meeting, 2020 (Session 5), Thursday 19 November 2020

Negotiation on the future relationship between the European Union and the UK Government

Note by the Clerk

Background

1. The Committee has an on-going inquiry into the future relationship negotiations between the European Union and the UK Government with the end of the transition period due on 31 December 2020. The Committee has in recent weeks taken evidence from sectors of the Scottish economy likely to be significantly impacted by the outcome of the future relationship negotiations. Full details of the Committee’s scrutiny of the future relationship negotiations can be accessed at—

Evidence session

2. The Committee will take evidence, via video conference, from the Cabinet Secretary for the Constitution, Europe and External Affairs, Michael Russell MSP.

Supporting Information

3. Recent correspondence between the Cabinet Secretary and the Chancellor of the Duchy of Lancaster regarding the future relationship negotiations are provided at Annexe A to this paper. In addition, correspondence between the Committee and the Cabinet Secretary regarding checks on goods imported into the European Union are provided in Annexe B. Lastly, correspondence between the Committee and the Chancellor of the Duchy of Lancaster on the same topic are provided in Annexe C of this paper.

Stephen Herbert
Clerk
Culture, Tourism, Europe and External Affairs Committee
16 November 2020
Correspondence from the Cabinet Secretary for the Constitution, Europe and External Affairs to the Chancellor of the Duchy of Lancaster of 1 November 2020

Dear Michael,

Thank you for your letter of 27 October. I am afraid it rather perfectly illustrates our concerns about the nature of engagement from the UK Government throughout the EU-UK negotiations on the future relationship.

Your response at no point addresses the purpose of my letter to you on 21 October. It says nothing concerning the issues I raised about the negotiations themselves, and instead references the number of meetings held with Devolved Governments over the course of this year. There is no dispute about the quantity of meetings held between us.

But throughout this process we have been concerned about the quality and timing of engagement, and by extension, the extent to which these facilitate the UK Government taking into account of the views of the Devolved Governments. There has been very little evidence of this.

As you know, I have attended every meeting of the Joint Ministerial Committee on EU Negotiations since its inception. The committee was set up to seek an agreed UK approach to, and objectives for, the negotiations; and to provide oversight of the negotiations to ensure, as far, as possible, that outcomes agreed by all four of the UK’s governments were secured.

Your letter does not cite a single example of when the committee has carried out its agreed role because not once has the UK Government allowed it to do so.

The UK Government has simply ignored the terms of reference and side-lined the Scottish, and other devolved governments, throughout the whole Brexit process. There are, countless examples of the lack of meaningful engagement about which we are so concerned. To mention just a few:

- There was no engagement with us ahead of the publication of the UK Government negotiating principles, which have proved decisive in excluding the scope for anything but a ‘low’ deal.

- We have never been shown the UK negotiators’ detailed negotiating mandate, nor any of the principal documents since February, including the legal texts which we understand are the current basis of negotiations.

- In July this year you expressly refused to tell Devolved Governments the extent to which the UK negotiating positions have or have not accommodated our concerns.
The need for a joint Northern Ireland Protocol working group was agreed between us in January. The UK government failed to establish the group until July, it has only met three times, and all the Devolved Governments report that it is falling far short of giving us the information we need to prepare appropriately.

In June the Scottish Government published a detailed paper setting out why it was essential to extend the Brexit transition period given the COVID pandemic and economic crisis.

The UK Government ignored that evidence and instead has recklessly decided to end the transition period at great cost to Scotland and indeed the UK as a whole.

This action I am afraid typifies the UK Government’s whole approach to Brexit: total disregard for the wishes and interests of the people of Scotland, contempt for devolution and a drive towards an ever more extreme and damaging Brexit which is going to end with either the worst possible outcome – no trade deal – or at best a “low deal” which will cost jobs and hit the economy hard at the worst possible time.

Despite the substantial economic damage your favoured deal will cause, the prospect of a No Deal should be completely unthinkable at this, of all times, and I urge you today to rule out such a devastating outcome.

I fully understand why you would wish to assert that you have been working collaboratively with the Devolved Governments, but the facts show that the decisions on Brexit have been taken by the UK government alone. This is a crisis entirely of the UK Government’s making and people in Scotland are well aware of where the responsibility for the consequences lies.

MICHAEL RUSSELL
Correspondence from the Chancellor of the Duchy of Lancaster to the Cabinet Secretary for the Constitution, Europe and External Affairs of 27 October 2020

Dear Mike,

Thank you for your letter of 21 October regarding the Scottish Government’s views on the UK-EU negotiations. I look forward to discussing these further with you at the Joint Ministerial Committee meeting on EU Negotiations (JMC (EN)) later this week.

You expressed concern in your correspondence that ministerial engagement relating to the negotiations and readiness has “not intensified” since my letter of 31 July. This Sunday, the National reported your view that contact between the UK Government and devolved administrations is “sporadic and dysfunctional”. It reported that you were “deeply concerned at the lack of serious engagement with us [the Scottish Government] on the key decisions on the Brexit negotiations which impact directly on Scotland — including the lack of a Joint Ministerial Committee on EU Negotiations (JMC (EN)) ahead of the European Council”.

I am sorry if you feel that the UK Government’s contact with you and others in the devolved administrations has not been all that it might be. I hope I can lay your mind at rest. I have been and remain very keen to secure the best possible engagement between us. The JMC (EN) has met five times so far this year on 9 and 28 January, 21 May, 16 July and 3 September. After our meeting on 3 September, I was particularly keen that the JMC (EN) could meet again in late September and I know that concerted efforts were made to find a suitable date. My office proposed several possible time slots across four different days, but regrettably we did not reach agreement on a mutually-acceptable day. My office was in touch on Friday to secure a slot for a JMC (EN) this week - I hope we can agree a suitable time.

Turning to engagement more broadly, since the start of October, the First Minister of Scotland has been invited to regular meetings of the XO Cabinet Committee, dealing with preparations and operational readiness for the end of the transition period. I would like to put on record my thanks to your colleagues and officials for the valuable contributions they made to discussions in three Committee sessions so far this month. Devolved administration officials received detailed papers for these meetings as well as the actions arising. Your officials also received the Central Case and Reasonable Worst Case planning assumptions for the end of the transition period, which were shared on 3 September. In addition, your officials have attended seven meetings of the Cabinet Office Transition Task Force’s Portfolio Board since June, and a fortnightly senior officials meeting convened by the Transition Task Force. They are also invited to the Civil Contingency Secretariat’s D20 Board, and to bilateral meetings with the Director General for the Border and Protocol Delivery Group, as well as to infrastructure discussions. These meetings are in addition to wider formal and informal engagement taking place across departments.

I note that despite this intensified engagement, UK Government ministers and officials have not been invited to any operational readiness meetings of the Scottish Government. I appreciate that is your decision but we still lack access to crucial data and have not had papers or other important planning materials shared with us. This includes information on: how the funding the Scottish Government received to
support readiness has been spent; how many Environmental Health Officers are in place in Local Authorities; and how you are ensuring businesses are aware and taking action to prepare for change.

The Paymaster General has recently chaired two quadrilateral meetings on readiness with devolved administration counterparts on 10 September and 1 October. The Paymaster General also offered to meet you and ministerial colleagues from the Welsh Government and Northern Ireland Executive virtually ahead of the recent European Council meeting. I understand that ministers from the devolved administrations, including the Scottish Government, preferred this negotiation update to take place at official rather than ministerial level. Therefore, a UK deputy Chief Negotiator updated devolved administration counterparts on 15 October. This is in addition to the video conference meetings, which have been held weekly, to update your officials on the progress of negotiations, including ahead of and after the recent European Council. There was a further such official-level update on 23 October. Between January and August, the Paymaster General held three bilateral meetings with Scottish Government representatives, and arranged five quadrilateral meetings. You declined to attend one of these meetings, arguing that you had not received notice of our decision to not seek to extend the transition period. As I set out in my 14 June letter, we made our policy on that matter, which was consistent with legal obligations, clear on multiple occasions in Parliament, in correspondence, and at the JMC (EN) of 21 May.

As you will have seen, following firm leadership from the PM the EU have agreed to intensify negotiations. In these negotiations we are determined to defend our interests in key sectors including fisheries. Our approach will ensure that at the end of the transition period the UK will be an independent coastal state, no longer bound by the Common Fisheries Policy.

I hope this is useful in setting out the level of commitment that the UK Government places on engaging with colleagues in the devolved administrations. We will not always agree, but it is important that we work together in the interests of people right across our country. I am copying this letter to the Paymaster General, the Secretaries of State for Scotland, Wales and Northern Ireland, the First Minister and deputy First Minister of Northern Ireland, and the Counsel General and Minister for European Transition in the Welsh Government.

With every good wish,

Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office
Dear Michael,

FUTURE RELATIONSHIP NEGOTIATIONS: CHECKS ON GOODS IMPORTED INTO THE EUROPEAN UNION

I am writing to you regarding the Culture, Tourism, Europe and External Affairs Committee scrutiny of the future relationship negotiations between the UK Government and the European Union. On 17 September 2020, the Committee heard evidence from customs and trade consultant Dr Anna Jerzewska regarding the trade of goods across the European Union’s external borders. Specifically, the Committee was interested in finding out about the different types of procedures and checks which are undertaken on goods entering the EU. I attach a link to the Official Report of the meeting below—

Under the Northern Ireland Protocol, Northern Ireland will operate under the EU’s customs and single market rules. At present, it is not clear how the protocol will be implemented but it is expected that certain goods moving from Great Britain to Northern Ireland will be subject to a range of checks and controls and customs formalities as those goods will effectively be entering the EU single market from a third country. In research commissioned by the Committee, Dr Jerzewska makes the point that border procedures aren’t just about checks and queues at the border but also about the bureaucracy and procedures necessary to export goods into the EU.

In May 2020, the UK Government published its plans for the implementation of the Protocol in a Command Paper. This sets out its plans for ports and movement of animals. The Command Paper summarises its plans in relation to border procedures for goods entering Northern Ireland as follows-

“The Protocol means that UK authorities apply EU customs rules to goods entering Northern Ireland. This entails some new administrative process for traders, notably new electronic import declaration requirements, and safety and security information, for goods entering Northern Ireland from the rest of the UK. These are needed to make sure that tariffs are not paid on trade within the UK and that goods going to Ireland pay tariffs when they should. We will ensure these electronic processes are streamlined and simplified to the maximum extent, and we will set out more detailed plans for extensive HMRC support for businesses engaged in them.”

With regards to customs infrastructure, the UK Government’s command paper states that it sees “no need to construct any new bespoke customs infrastructure in Northern Ireland (or in Great Britain ports facing Northern Ireland) in order to meet our obligations under the Protocol.” However, the command paper acknowledges that “the situation is different for agri-food movements, for which expanded infrastructure will be needed on the Northern Ireland side. However, Dr Jerzewska
emphasised in evidence to the Committee that what constitutes new, bespoke infrastructure and what is existing infrastructure is not clear. Dr Jerzewska stated—

“The phrase used was “no new ... infrastructure”, but we do not necessarily know what that means. If there is already a port, what constitutes “new” infrastructure? If you add staff and desks and perhaps expand a building, is that new or existing infrastructure?”

Regardless of whether the UK obtains an agreement with the EU or not, it is clear that there may be substantial additional border checks required and increased regulatory requirements placed upon companies exporting to the EU.

If certain Scottish businesses experience difficulties adjusting to these new arrangements, then they will not be able to continue to trade seamlessly with the EU and additional support will be required. While the Committee appreciates that border controls and customs arrangements, as well as the implementation of the Ireland / Northern Ireland Protocol, is a primarily reserved matter for the UK Government and the EU, the Committee would be grateful for further information regarding the following:

- What measures are available to the Scottish Government to support Scottish exporters (particularly SMEs) to absorb additional costs associated with the bureaucracy and procedures necessary to export goods into the EU.

- What arrangements are being made to support Scottish Businesses prepare for these new arrangements before they come into force?

Finally, the Committee understands that the exact procedures and processes associated with the implementation of the border controls, regulatory checks and the implementation of the Northern Ireland Protocol are still being developed. However, given that the transition period is due at the end of 2020, we would appreciate an update regarding the engagement, if any, between the Scottish and UK Government’s regarding the implementation of border controls, regulatory checks and the implementation of the Protocol including consideration of the practical arrangements for Scottish exporters and the support provided to them.

The Committee would appreciate a response as soon as possible and I look forward to hearing from you.

Yours sincerely,

Joan McAlpine MSP
Convener, Culture, Tourism, Europe and External Affairs Committee
Correspondence from the Cabinet Secretary for the Constitution, Europe and External Affairs to the Convener of 12 November 2020

Dear Joan,

Thank you for your letter of 24 September. I apologise for the delay in responding. I share the concerns expressed in that letter and discussed by the Committee on 17 September with Dr Anna Jerzewska regarding border bureaucracy and customs compliance burdens on businesses trading with the European Union after the end of this year, and further detailed in her report to the Committee.

It is an act of extraordinary recklessness to end the Brexit transition period at the end of December 2020 – at a time when the economy is already being hit hard by COVID-19. The UK Government wants either a “low deal” or no deal. Both will take Scotland out of the Single Market, out of the Customs Union and end freedom of movement – hitting jobs and living standards hard. That is utterly reckless and avoidable.

A recent independent study (July 2020) by the University of Warwick Economic Research Centre shows the Scottish economy in 2019 was nearly £4 billion, or £736 per person, lower because of the Brexit vote – and that’s before the no deal or low deal disaster hits. Scottish Government modelling of a basic trade agreement of the type that the UK Government wants to negotiate finds that Scottish GDP is estimated to be 6.1% lower by 2030 compared to continued EU membership. This equates to a cost to each person in Scotland of an equivalent to £1,600.

This will clearly hamper recovery from the impact of the pandemic. At a time when we are working tirelessly with people and businesses across Scotland to avoid a second Covid peak and the further damage that would cause, this entirely unnecessary hard Brexit is a bitter pill to swallow.

Despite the unprecedented challenges we face with the COVID crisis, the UK Government ruled out any extension to the transition period, which would have allowed governments and businesses further much-needed time to prepare and deal with the hugely negative double impacts of COVID-19 and EU Exit. For many businesses which manage to survive the coronavirus crisis, the second shock of Brexit would hit them at their weakest.

The end of the EU Exit implementation period will bring major challenges for Scottish businesses. It is not just an extra headwind to the economic recovery from COVID, but will drive up the costs of doing business and create barriers to trade that do not currently exist.

As Dr Jerzewska rightly observed, not only do we not yet know whether tariffs will be applied to imports into the EU, but the practical consequences of the lack of basic information are ham-stringing business and government attempts to prepare for these otherwise unnecessary changes. As she emphasised, even a no-tariff, no-quota deal brings with it substantial compliance burdens on Scottish business finances, staff, and other resources, ultimately threatening their cash flow and profits.
You requested an update on engagement between the Scottish Government and the UK Government on these issues. The Scottish Government and Scottish Ministers have continually sought more forward planning, detailed information, and meaningful engagement with the UK Government on these issues. I have personally made this point with the Chancellor of the Duchy of Lancaster.

Whilst there are some venues where there is discussion of related issues, such as the Defra-DA Inter-Ministerial Group meeting on Environment, Food and Rural Affairs, overall engagement is minimal and often involves 24-hour ‘notice’ rather than meaningful opportunities to assess the issues and develop useful policies and practices. It is only in the last month that Devolved Administration Ministers are now invited to attend the XO meetings at which these issues are discussed.

In January, the Joint Ministerial Committee for EU Negotiations agreed to initiate a joint workstream of the UK Government and the Devolved Administrations to consider implementation of the Northern Ireland Protocol. Eventually, nearly six months later on 10 July, the UK Government participated in an official-level meeting on the subject; one other official-level meeting of this group has taken place since then. The meetings were used to present the Devolved Administrations with information that had already been published by the UK Government.

There have been increasing contacts between DEFRA and Scottish officials on implementation of Sanitary and Phyto-sanitary (SPS) border checks, which address devolved policy areas. Those contacts still occurred relatively late in the UK Government’s own planning and have had to be handled on a very constricted time schedule, which is a sub-optimal way of working in this complex field, affecting not only the economy, but the environment, food, animal and plant life.

As another example, the UK Government has only this month released its latest version of the UK Border Operating Model, detailing how the UK will apply its own customs and border checks to goods coming into the UK from the EU. This Operating Model does not address matters related to the Northern Ireland Protocol, making it impossible to practically prepare for trade across the Irish Sea. Crucial issues such as how to check which goods are ‘Northern Ireland Qualifying Goods’ under the terms of the Prime Minister’s commitment on ‘unfettered market access’ remain undefined. Despite this, businesses including the agrifood sector and haulage and logistics firms are expected to prepare for the unknown. There are staffing, pricing, supply chain, IT and training decisions which depend on having sufficient clear indication of which systems will be in use and assurances that UK systems and EU systems will work in concert. None of this information has been adequate.

As well as engaging with the UK Government when and as possible, the Scottish Government engages with our own businesses directly to assist them in finding needed information, where that does exist. The Scottish Government regularly convenes a Food Sector Resilience Group and a Ports Engagement Group, and also participates in meetings of the UK Border and Protocol Delivery Group with the Scottish Ports and Airports Group.
You have also requested information on support to help Scottish businesses cope with the new customs and borders compliance arrangements and with the costs of compliance. To support businesses through the dual challenges of EU exit and Covid-19, the Scottish Government and its enterprise agencies have formed the Building Resilience Steering Group (BRSG). The BRSG, led by Scottish Enterprise, provides strategic leadership and coordination to ensure effective delivery of the joint Brexit and Covid-19 response by the Enterprise and Skills Agencies, Business Gateway, SLAED, VisitScotland, the Scottish Cities Alliance and The Scottish Government.

The BRSG is coordinating and delivering a single response to both Brexit and Covid-19 across Scotland’s enterprise and skills system, through a joint action plan aligned with the Programme for Government. It promotes the PrepareforBrexit.scot website as the main communications channel for businesses in Scotland, with signposting from FindBusinessSupport.gov.scot.

Specific elements of this work include working with companies on access to finance (COVID-19 support, financial advice, and signposting UK Government EU Exit readiness support), advice on trading with the EU from January 2021, skills and knowledge development, immigration advice and support for employer sponsorship, gathering intelligence on trader readiness and challenges, and coordinating engagement and communications across all partner touchpoints with business.

The group’s membership has an obvious role in supporting businesses through the end of the implementation period given their many touchpoints with the business community, and the expertise and insight accumulated during their involvement in the No Deal exit preparations during 2019. In addition, Scottish Enterprise has provided over £725,000 in funding for Chambers of Commerce to train in customs compliance and support capacity building for businesses facing this compliance burden.

Nevertheless there are significant challenges to reaching companies that are still struggling with impact of COVID-19 and helping them make difficult business decisions in a short period of time.

The Scottish Government and its partners are also signposting to available UK Government support such as funding for additional customs training and IT provision, the newly established Port Infrastructure Fund, and Field Force, a Cabinet Office project with support from DIT. Whilst we welcome these provisions, they are stopgap measures and ultimately inadequate to meet the greatest challenge, which is that it is nigh impossible for businesses to prepare with only fragmentary information. This is a failing of UK Government planning and preparation which support measures cannot remedy.

In conclusion, however, it is regrettable very clear that the long-term costs of Brexit are huge and will not be met by some extra business support. We have continually pressed the UK Government to meet all costs of planning and preparing for Brexit and that is not being provided, whether for government, the wider public sector and key agencies, or indeed businesses.
The Scottish Government is committed to continue all efforts to obtain greater clarity from the UK Government on these vital matters and to supporting Scottish businesses to cope with the severe challenges they pose.

MICHAEL RUSSELL
Dear Michael,

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In May 2020, the UK Government published its plans for the implementation of the Protocol in a Command Paper. This sets out its plans for ports and movement of animals. The Command Paper summarises its plans in relation to border procedures for goods entering Northern Ireland as follows-

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emphasised in evidence to the Committee that what constitutes new, bespoke infrastructure and what is existing infrastructure is not clear. Dr Jerzewska stated—

“The phrase used was “no new ... infrastructure”, but we do not necessarily know what that means. If there is already a port, what constitutes “new” infrastructure? If you add staff and desks and perhaps expand a building, is that new or existing infrastructure?”

Regardless of whether the UK obtains an agreement with the EU or not, it is clear that there may be substantial additional border checks required and increased regulatory requirements placed upon companies exporting to the EU.

While the Committee appreciates efforts to ensure electronic processes are streamlined, we remain concerned that new border with the EU and the arrangements set out in the Ireland / Northern Ireland Protocol will increase the administrative burden for Scottish businesses that export to the EU at a time of acute uncertainty. If certain Scottish businesses experience difficulties adjusting to these new arrangements, then they will not be able to continue to trade seamlessly with the EU and additional support will be required. Given these concerns, the Committee would be grateful if the UK Government could provide further information regarding the following:

- What specific procedures and process will be needed for the export of goods into the EU market. It would be helpful if this information could be broken down by type of good and include the kind documentation that will be required.

- What the UK Government considers constitutes ‘new, bespoke’ customs infrastructure and to what extent existing infrastructure will need to be expanded?

- How will these procedures and process be adapted for those goods deemed to be “at risk”, particularly where those goods are proved to have stayed in Northern Ireland and the UK is obliged under the Northern Ireland Protocol to reimburses traders.

- How the UK Government will support Scottish exporters to absorb additional costs associated with the bureaucracy and procedures necessary to export goods into the EU?

- What arrangements are being made to support Scottish businesses prepare for these new arrangements before they come into force?

- What additional infrastructure will need to be in place in order to support agri-food producers and what additional support will be provided to help these producers to prepare and adapt to additional border controls.
The Committee would appreciate a response as soon as possible and I look forward to hearing from you.

Yours sincerely,

Joan McAlpine MSP
Convener, Culture, Tourism, Europe and External Affairs Committee
Correspondence from the Chancellor of the Duchy of Lancaster to the Convener of 31 October

Dear Joan

Thank you for your letter of 24 September in relation to recent evidence your Committee has heard. Thank you also for sending the Official Report. Your letter raised a series of questions which I will address in turn:

You asked about implementation of the Northern Ireland Protocol. The UK Government set out its approach to the protocol, in a Command Paper published in May, and this is unchanged. I do not accept that "it is not clear how the protocol will be implemented". The Government has published guidance, available on gov.uk setting out further details. For further details may I refer you to my letter of 7 October to the Chair of the Committee on the Future Relationship with the EU available at: https://committees.parliament.uk/publications/2908/documents/28078/default/

Regarding exports of goods into the EU, we have published extensive details of the processes required in our Border Operating Model. This document was updated in consultation with officials in the devolved administrations, including the Scottish Government, and with industry. It now includes additional information on the Goods Vehicle Movement Service (GVMS), Sanitary and Phytosanitary (SPS) checks, high-priority plants and plant products, and passengers policies. Further guidance for businesses is available on gov.uk/transition.

We have been engaging businesses through stakeholder events such as webinars to help them understand the upcoming changes they need to take. We have also contacted thousands of businesses directly through the Field Force business intervention programme. We have been working closely with the Scottish Government to involve them in this programme, which contacts EU-only high value traders based across Great Britain.

Regarding the movement of food and agrifood from Great Britain to Northern Ireland, it has been clear since the publication of the Command Paper that there will be no new customs infrastructure in Northern Ireland (or in Great Britain ports facing Northern Ireland). There will be a proportionate expansion by the Northern Ireland Executive of agri-food facilities at existing Northern Ireland ports, building on what already happens at ports like Belfast and Lame. The Government is committed to exploring further support to agri-food businesses engaging with new SPS processes, with further detail to be set out in due course, to bringing down the level of checks to a proportionate and pragmatic level that recognises the high standards across the UK, and to minimising electronic documentary requirements. We are in discussions with the Scottish Government regarding facilities at Cairnryan. The matter of goods deemed 'at risk' is under discussion in the Withdrawal Agreement Joint Committee. We will publish further information and guidance in due course.

Regarding agrifood movements, as we have set out previously, SPS controls for the import of goods from the EU will be introduced in stages from January 2021 to July 2021, allowing additional time for business to adjust whilst maintaining effective biosecurity controls. Checks for live animals will continue to be carried out at
destination until July 2021, and documentary checks on Products of Animal Origin (POAO) will be carried out remotely from April until July 2021. From July 2021 infrastructure will be in place to perform the necessary physical and identity checks at the border. In regards to supporting agrifood producers, the Border Operating Model provides extensive information for agri-food producers to help them prepare for the end of the Transition Period. This includes information on the new Sanitary and Phytosanitary (SPS) checks that will apply to movements of animals and products of animal origin; and high-priority plants and plant products between the UK and EU.

May I also take this opportunity to put on record my thanks to officials and ministers in the Scottish Government for their close working on many aspects of our work to prepare for the end of the transition period. We have convened six meetings of the Joint Ministerial Committee (EN) so far this year, and Scottish Government ministers now regularly attend the XO Cabinet sub-committee. This supplements the significant and detailed official engagement as I set out in my letter to the Cabinet Secretary for Constitution, Europe and External Affairs on 27 October, available at:


I hope you find this response helpful.

With every good wish,

Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office