

**Committee:** Stansted Airport Advisory Panel

**Date:**

**Title:** Environmental Health (Commercial Report  
Impact and risk planning EU Exit - No deal  
scenario

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**Report  
Authors:** Tony Cobden Environmental Health Manager  
(Commercial) Tel 01799 510583

Jeremy Pine, Planning Policy/Development  
Management Liaison Officer

jpine@uttlesford.gov.uk

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## Summary

1. To consider the implications for the Environmental Health imported food service of the UK leaving the European Union under a no deal scenario.

## Recommendations

2. That the Panel notes the report.

## Financial Implications

3. From within existing budgets, but contingency funding can be made available.

## Background Papers

4. None.

## Impact

- 5.

Communication/Consultation	Implications are set out in the report
Community Safety	Implications are set out in the report
Equalities	None
Health and Safety	Implications are set out in the report
Human Rights/Legal	None

Implications	
Sustainability	None
Ward-specific impacts	A no deal scenario is a nationwide issue
Workforce/Workplace	Implications are set out in the report

## Situation

### Relevant history

6. On 24 June 2016, the UK voted, 52% to 48%, to leave the EU, having been a member since 1973. 'Article 50', (of the Lisbon Treaty) giving a member state the right to leave the EU unilaterally, was triggered by the UK in March 2017, giving the country two years to negotiate an exit deal. Since March 2017 the Government has been in negotiations with the EU with a view to achieving a deal to establish a new relationship and for this deal to be agreed by Parliament.
7. Currently all products imported into the UK must comply with European Union (EU) law on contaminants, these laws are intended to protect public health. There are certain types of food which are considered high risk which if imported and fail to meet the correct standards will not be allowed into the EU. Food products can only be imported through designated points of entry (DPE) or appropriate Border Inspection Posts (BIP) where documentary checks must be carried out and physical checks may be required prior to release.
8. Stansted Airport receives hundreds of consignments of imported foods every year which require import controls, including sampling for those products identified as being at risk. The border inspection function is currently carried out by a small team of council officers resourced from within the Environmental Health Commercial team supported by an external port veterinary officer. The service is overseen by the Commercial Environmental Health team manager. The imported food staff are not solely dedicated to imported food work and have additional responsibilities within the wider Environmental Health Service including statutory duties.
9. In the event that the Government or Parliament do not agree a way forward, and no extension to Article 50 is requested and/or agreed, the UK automatically leaves the EU on March 29 2019. In such a situation, all existing agreements, including access to the single market, and EU systems that support the safe importation/exportation of food products would cease to apply to the UK. Given the civil contingency planning duties of local authorities, the council has been assessing the implications of a no-deal scenario and what measures might be necessary to address potential impacts.

### Identified concerns and contingency planning in the case of a no deal scenario

10. Since July 2018 officers have been engaging with the Local and Regional Border Steering and Planning group and other Government agencies including

DEFRA and the Food Standards Agency. The team have hosted and contributed to discussions which have identified potential impacts both at a local and national level.

11. Contingency plans have been put in place to cover the following likely local impacts on both the DPE and the BIP operations:

**- The introduction of new checking requirements for imported goods of both animal and non-animal origin.**

Stansted has been identified as having the third highest EU inbound air freight volumes in the UK. This figure includes all inbound freight not just food products but any increases in HMRC checking could have a knock on effect for turnaround. The UK government is promoting a risk based approach and it is not envisaged that any routine additional checks will be imposed but as the same guarantees will not apply to the EU member states any increased checking by them may impact upon Stansted by causing delays in turnaround of flights.

**- The introduction of new checking requirements for transiting products of both animal and non-animal origin.**

Currently any product entering the EU zone will be checked at its point of entry. It can then move freely through the EU to its final destination. In the case of a no deal scenario these checks are unlikely to be carried out on our behalf and such checks will be required at the UK point of entry. At this stage it is not possible to predict the precise increase in documentary and physical checks but an increase in workloads of some description is expected.

**- Supporting the potential additional volumes of export certificates.**

Local authorities provide export certification to facilitate the exportation of goods. Currently the council only provides these to a limited number of companies who export to non EU countries. As no certification has been required for products being exported into the EU we may see an increase in demand however this is unlikely to be high. Contact has been made with our local manufacturers to signpost them to Government advice.

**- Supporting the creation of Catch certificates for fish exports and the checking of these certificates for imports.**

There will likely be an expansion of the import / export catch certificate system used for the fish trade. As an ambient BIP it is unlikely we will see a significant increase in fresh fish and / or fishery product throughput but should it occur we will have a responsibility to check certification. Appropriate training on this requirement has been undertaken by the senior technical officer and cascade training will take place as appropriate.

**- Preparing for the loss of TRACES (Trade Control and Expert System)**

**and the introduction of replacement systems IPAFF and / or manual back-up.**

Stansted Airport, like all BIPs and DPEs across the EU, work on the TRACES system to apply required imported food controls. The TRACES system allows for data sharing which is of particular significance to products that have failed official controls. It will alert to the fact that a similar product arriving at the BIP or DPE may require further investigation.

In the case of a no deal EU exit, the UK will lose access to the TRACES system and this ability to share information. The UK Government has been working on a replacement system known as IPAFFS. In the event of IPAFFS being implemented, delays may occur in turnaround especially if the current database does not migrate into it.

DEFRA have confirmed that training on the IPAFFS system is scheduled to take place imminently for all agents and UDC staff. UDC will ensure that adequate numbers of its staff are available for such training and have signposted the sessions to the importing agents at Stansted, reinforcing the DEFRA contacts and stressing that taking responsibility for this training is essential as officers at UDC will not be in a position to offer training support

As IPAFFS has yet to be fully tested it is currently not possible to state how effective it will be. Concerns have been raised within the Border Steering Groups on its ability to communicate with other UK customs systems such as CHIEF and ALVS. In preparation for it not being effective, contingency is available by resorting to a manual clearance system. Officers that currently work with TRACES are sufficiently trained and competent to a level that allows compliant goods to be processed for a rapid turnaround. A manual system would undoubtedly have a significant effect on efficiency, and we estimate that on average, what takes 12 minutes may take up to 3 times as long on a manual system.

**- Preparing for the loss of effective information exchange including loss of access to the rapid alert system (RASFF).**

It is expected that the UK will lose all access to the RASFF system, in a similar way to the TRACES notifications. The RASFF portal sends alerts to all EU member states when there has been a breach of EU food or feed law and there is a risk of a particular food or feed going into circulation. A planned replacement for a UK version of RASFF is believed to be under development although it is not yet clear as to how or if this will link to the EU version.

**- Managing existing staff resource and providing for extra resilience should it be required.**

We have three staff who will provide full time imported food primary cover, and a team of four Environmental Health Officers who are food competent and able to comply with code of practice requirements acting as secondary cover, These officers will also have the availability to supervise an additional non-

food competent officer, giving a total pool of fourteen staff which can be drawn on. Refresher training on imported food procedure is planned and all staff will be trained on any new control requirements arising from a no deal scenario.

12. In providing cover there are other risks to the environmental health service that may arise, including the following:

- High risk urgent incidents such as infectious disease outbreak or a fatal accident / dangerous occurrence coinciding with the contingency period
- Multiple emergency planning events occurring at the same time, such as a severe weather event and Operation London Bridge.
- The need to meet statutory inspection requirements for food premises.

13. It is recognised that contingency funding can be made available, backfilling posts if required, and scope exists to allocate resource from the Environmental Health Protection team to support the Commercial team if required.

14. Any contingency plan would only be sustainable for a limited period. If a no deal scenario does impact as potentially envisaged and then becomes "Normalised", additional staffing resources will be needed on an on-going basis. For the imported food service such an increase in resourcing could in part be met by cost recovery / government grant, but as official control implementation will need to be undertaken by officers holding suitable qualifications and formal competency in food control, there is likely to be high national demand for such skilled officers. Any training programme for non-qualified officers could take up to 18 month minimum, unless there is a change to existing COP requirements.

#### Wider considerations

15. In addition to providing effective planning for the imported food service, the council contributes to the local resilience forum (Essex Resilience Forum). This ensures we are aware of the wider issues potentially arising from disruption at Stansted Airport, including localised traffic disruptions and flight disruption that form part of wider contingency planning.

16. In his report to Stansted Airport Consultative Committee in January, the Airport's CEO advised that, over the last few months, contingency planning for all potential Brexit outcomes has been undertaken. This has included engaging directly with the Border Delivery Group (the group assigned by the HM Government to oversee Brexit planning). This planning includes evaluating all potential risks in both the short and longer terms and includes assessing and mitigating risks to the border, customs, cargo, people and aviation. The CEO said that the airport is also working with airlines, ground

handlers, retailers and contractors to provide them with support and guidance as required, and this will continue. The airport is also working with third parties to gain confidence in their plans for all scenarios. The council will support these plans as per existing emergency planning arrangements and has the ability to draw resource from neighbouring authorities if required under mutual aid protocols.

## Risk Analysis

17.

Risk	Likelihood	Impact	Mitigating actions
Border delays and / or lack of managed inspection processes as a result of a no deal scenario.	3. This is a significant risk in the event of a no deal scenario.	3. Effects would be felt nationwide.	Contingency planning is continuing with all public and private stakeholders to ensure that the effects of a no deal scenario are both well managed and minimised.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.