

# FRC Food Brexit Briefing

## Local Authority update: food planning for continuing Brexit uncertainties

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# Introduction

Late last year, the Food Research Collaboration (FRC), the Chartered Institute of Environmental Health (CIEH) and the University of Sussex [published guidance for Local Authorities \(LAs\)](#) on how to prepare for what looked likely to be a disorderly Brexit.<sup>1</sup> Six months on, we still have little clarity on how or when the UK will leave the European Union (EU). However, it remains the case that under any circumstances, withdrawal from the EU will have major impacts on the UK's food systems and food consumers. And as we identified last year, Local Authorities, which have executive responsibilities in relation to food and which are also repositories of expertise on local food systems, will be in the front line in coping with whatever challenges arise. If anything, this seems more likely, given the lack of evidence of coherent planning at national level. We are therefore updating the Guidance we issued then.

# Recommendations

**We now recommend that LA Chief Executives, elected Councillors and Officers consider the following actions, as a matter of urgency:**

- Bring together LA professionals with specialist food knowledge to take stock of potential food supply disruptions. This process should distinguish between general considerations likely to affect the wider public and more specific considerations for social groups for whom LAs have particular responsibilities depending on their roles. In some circumstances this will include school pupils, the elderly and people in social care.
- Prepare plans for communicating with the public under recommendations issued in 2011, ancillary to the 2004 Civil Contingencies Act.
- Liaise with other LAs and national professional bodies.
- Maintain pressure on central Government to provide better information about food supply risks.
- Liaise with representatives of food companies located in their geographical areas to ensure as full understanding as is possible, in accordance with their corporate lines of communication.

## Context

In December 2018, the FRC, the CIEH and Sussex University published guidance for LAs on how to prepare for a managed food Brexit in the event of the UK failing to agree an exit 'deal' with the European Union (EU). On 10 April 2019, the EU agreed an extension of the period in which the UK can negotiate an 'orderly' exit from the EU until 31 October 2019. However, great uncertainty persists about the date and manner of this exit, with elections and continuing parliamentary manoeuvres adding to the confusion. It is appropriate to remain vigilant about the possibility of a chaotic or under-planned Brexit, which is highly likely to have disruptive effects on UK food systems. Indeed, our concern is that planning for disruption is now almost having to be normalised.

The guidance we issued last year did not encourage LAs to engage in large-scale or expensive actions. Instead, it simply suggested that LAs:

- Create food resilience teams.
- Draw on existing emergency planning procedures to identify possible scenarios and appropriate responses based on risk management or rapid health/environment impact assessment techniques.
- Narrow the information gap, brief elected members and align with Cabinet Office information.
- Prepare public engagement plans.
- Be the local voice for food.

Our guidance was published in the hope that emergency planning would not be needed, while at the same time recognising the basic rule that all scenarios should be considered and prepared for. The events of the last few months and the continuing uncertainties suggest that a refinement of our advice might be useful. The situation has changed in some respects but not in others.

## The current situation

In the last few months, the enormous implications of a 'no-deal' Brexit for the UK food system have become ever more clear. We were early to raise the issues with the general public.<sup>2</sup> Food concerns about standards, quality control and price, as well as supply continuity have been widely voiced, with strong contributions from across the food system – industry, farming, retail and consumers. These concerns have been noted and shared even within the British state. Among these, a significant contribution was the note from Sir Mark Sedwill, the Cabinet Secretary, spelling out to the Cabinet the likely effects of a no-deal crash-out. This was leaked to the Daily Mail and headlined as set to cause a 10% rise in food prices and serious impact on commercial activity.<sup>3&4</sup> This would have major implications for the many UK citizens already struggling with the cost of living and low wages. The Food Foundation, for instance, calculates that the 'poorest 10% of UK households would need to spend 74% of their disposable income on food to meet the Eatwell Guide costs'<sup>5</sup>, whereas the richest 10% only need to spend 6% to follow this official advice. Such long-term attrition of public health is worrying.

It is no wonder that all sectors of the food industry have been observing Brexit politics with rising anxiety. Any remaining commercial food storage space has been completely booked up. Even small and medium-sized enterprises (SMEs) have realised the need to have some kind of contingency planning, but many lack the necessary funding or expertise. The national and local press has covered some mass stockpiling behaviour by so-called 'Brexit preppers'.<sup>6,8,7</sup> With the extension of the Brexit timetable, it is unclear how domestic actions such as this might change.

The dynamics of uncertainty seem to have taken on a life of their own. The UK food system, which previously was a by-word for planning and pursuing, if not always achieving, tight controls has now had to adapt to the normality of uncertainty.

This reflects shared understandings emerging both across formal political party divisions (evident in voting patterns and a weakening of the Parliamentary whip system), as well as within the economy.<sup>8&9</sup> This could be useful in the long-term. Old assumptions are being questioned. We note the new attention being given in public discourse to issues such as climate change and biodiversity loss.<sup>10</sup> Evidence about the threat these pose to the UK food system is not new. The willingness to see them as matters directly affecting the UK and on which the UK food system ought to act is important, and long overdue.

Central Government, meanwhile, has taken on hundreds of new civil servants in both the Department for Environment, Food and Rural Affairs (Defra) and the Food Standards Agency (FSA) tasked with Brexit planning. At the local level, it has now become clear that whilst a number of LAs across England and Wales have engaged in emergency planning for Brexit, many have not identified the risk associated with food-supply disruption as something that needs to be planned for. We are also aware that some LAs have not availed themselves of input from food specialists on their own staff, namely Environmental Health Officers (EHOs) and other local food workers. This is regrettable. LAs have on hand excellent, if over-stretched, sources of local intelligence through EHOs, Trading Standards Officers, Social Services and Planners. We would suggest that in all LAs these professionals should be brought together to brief Chief Executives and Council Leaders. The current political ‘calm’ over Brexit following the extension is an opportunity for such intelligence-sharing and preparation to occur without the distraction of Westminster upheavals or even panic.

We are also aware that, despite large food companies urging the Government to understand better the complexities of modern food logistics, any lessons learned have not been shared with LAs. In the 1930s, it was easier for LAs to know their local food systems. Today, the food available in ‘local’ outlets bears little stamp of how it got there, where potential risks lie, or who has the power to make or break continuity of supplies. Large cities

have millions of people who have come to rely on food being continuously available. We are aware of LAs who have tried to map their food systems and who can outline possible risks, but they do not have detailed maps of actual food supply lines. These are today largely run by vast logistics firms contracted to the big retail chains.

## What can Local Authorities do?

Good planning requires good mapping and good risk assessment. It also requires a clear understanding of legal responsibilities. The Government has not provided LAs with any relevant legal advice of which we are aware. That said, LAs will know that they have two kinds of duties relevant to the present situation:

- a) Duties to safeguard the food supply for all citizens, and in some cases additional responsibilities for specific categories of citizen, such as school pupils, the elderly or people in social care.
- b) Duties under the provisions of the Civil Contingencies Act 2004 (CCA).<sup>11</sup> The CCA requires local Resilience Forums to assess and plan for risks and dangers.<sup>12</sup> The possibility that food systems could be disrupted is surely now beyond dispute and thus must be covered by the CCA’s provisions.

Both these sets of duties imply actions that LAs could now consider. Under (a), LAs could draw up lists of the ‘at-risk’ social groups for which they are responsible. Under (b), LAs should follow the 2011 advice issued by the Cabinet Office, under the CCA (2004), titled ‘Duty to Communicate with the Public: The Ten Step Cycle – an informal guidance note’.<sup>13</sup> On this basis, we urge LAs to take the steps recommended at the start of this Briefing. We continue to hope that emergency action will not be needed. But it continues to seem prudent that LAs, as first guardians of food supplies, should prepare for all eventualities.

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