

Appendix 1

Title: EU Exit Newhaven Port Health Update Date: 2 September 2019

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Background

The UK is due to exit the EU on 31 October, and leaving the EU Customs Union and Single Market means that without some form of agreement goods travelling to and from Europe will be subject to new authorisations and controls. A no deal scenario is one where the UK leaves the EU and becomes a third country at 11pm GMT on 31st October 2019 without a Withdrawal Agreement and framework for a future relationship in place between the UK and the EU.

Lewes District Council is also the Newhaven Port Health Authority which has a responsibility for Port Health Controls including food safety law enforcement and infectious disease control. Under the existing controls the work is limited to checking manifests electronically and quarterly visits and inspections at the Port of Newhaven with Roll On Roll Off (RORO) cargo entering the UK. At the current time it is mainly low risk food and as the majority of food entering via the port originates from the EU very few controls are necessary.

Throughout the 70's and 80's there was a daily presence at Newhaven Port by Newhaven Port Health Authority and there were offices, meat inspectors and officers present to oversee food coming into the UK. Since the mid 90's the requirement to undertake checks reduced to a point where only quarterly physical checks and daily manifest checks are undertaken. Newhaven is not a designated Border Inspection Post but exactly what will be expected at Newhaven Port is currently unknown and it would be advisable to plan for the worst case scenario. The Port of Dieppe has applied to become a Border Inspection Post (BIP) as it is likely the EU sanctions for goods entering the EU will be greater than those coming from the EU and entering the UK.

Officers have attended Newhaven Port Emergency Planning Meetings chaired by the County Council. These considered all impacts from the EU-Exit and were attended by Border Force, Sussex Police, Trading Standards, Environmental Health, Port Health, Highways, East Sussex Fire and Rescue, Newhaven Port and Properties, DFDS and Emergency Planning to consider impacts both at a strategic and tactical level.

Impact

At the current time there is an increased risk of a no-deal EU Exit and this will have implications for our Environmental Health team. Information from government agencies at the current time indicates that the actual food hygiene risk is not likely to change but there may be enhanced documentation and physical checks.

A specific vessel is required to load and offload at Newhaven and Dieppe and at the current time it is thought that there are only 2 vessels capable of undertaking this 4

hour crossing. Crossings arrive in Newhaven at approx. 08.30 and 21.00 hours in winter and 04.00, 15.30 and 21.00 in the summer. Theoretically a ferry could arrive every 2 hours at Newhaven but it is thought that this is extremely unlikely. It is foreseeable that if there is significant demand then a total of 4 crossing per day could take place.

The nature of the food imported via Newhaven may change depending on difficulties at other Ports and may mean that higher risk products become more likely. We are not currently aware of any other company wishing to use the crossing or other vessels capable of being used for the crossing but have this under review.

Newhaven currently has the following number of crossings.

	1 st October – 30 th April	1 st May – 30 September	Port Running at Maximum crossings
Number of Ferry Arrivals	2	3	4
Average Number of HGV Vehicles	30 per ferry	20 per ferry	-
Peak Number of HGV Vehicles	50 per ferry	50 per ferry	200
Maximum Number of HGV Vehicles	102 per ferry	102 per ferry	408 per day

Transport Network – We assume France and other Member States will treat the UK as a 3rd country and apply full controls. This will mean all freight and motorists entering France from Newhaven, Dover and Eurotunnel will be subject to customs clearance and full Schengen controls. The French will have IT systems and infrastructure in place to manage and process customs declarations, however there is limited space in the French ports to hold freight that is not border ready. In order to transport goods into the EU in a ‘no deal’ or post-Brexit scenario, traders must be signed up to customs procedures.

The road network in and around Newhaven is fragile to manage an increase in traffic and lorries due to increased ferry crossings at the Port. At present the traffic movements to and from the town are totally dependent on the availability of the A26 trunk road. Alternative routes such as the C7, the B2123 (Falmer to Woodingdean) and Alfriston Road are unsuitable diversion routes. The A259 has a number of capacity constraints such as the Ring Road and Exceat Bridge, and suffers from congestion particularly at peak times. There is also an environmental weight restriction through Peacehaven which impedes its use as a lorry routing alternative to the A26. The effect of the swing bridge operation during peak hours and incidents or works on the A26 have from previous experience caused widespread disruption.

If there are additional delays at the Channel ports, especially in a No-Deal Brexit situation and the Operation Brock contingency plans at Dover/the Channel Tunnel are not working satisfactory, then there is a possibility that lorries may seek to transfer to other ports on the south coast, including Newhaven. As a consequence, this may put additional pressure on the lorry holding capacity that the Port currently has available.

The Highways Authority has identified a number of options in the event additional lorry stacking space is required. It is not anticipated that stacking will take place on the A27 or A26 and alternatives have been investigated. The County are aware of the expected issues and have responsibility for this as they would also need to consider welfare facilities for drivers in any stacking areas. It should be noted that experience from previous scenarios shows that trade would not choose longer and more expensive routes. Between October and May, the average number of lorries using the ferry is 30 per crossing.

Food Hygiene - The Food Standards Agency has advised that the risk to food importation will not change on day one and food that was imported on 31st October will have the same low risks attached to it on 1st November 2019. As such they do not foresee a significant impact on food imports. Food Hygiene Inspectors will need to respond to intelligence received of high risk foods entering the UK or should the nature of currently imported food at Newhaven change.

There is an increased need for Food Export Certificates to be created as the rules for food exports will change. Documentation will need to be created for any food products originating in the Lewes District with a European destination. Training has been provided and officers have obtained additional qualifications to undertake this work.

In the longer term the Port may become a designated port of entry for certain foodstuffs and legislation will continue to change and adapt to more formal controls as the implementation period comes to an end. Although it is not anticipated for significant food hygiene issues on day 1, it is unknown what this will be in the weeks and months ahead.

Port Health Risks

Risk	Mitigation
A more significant presence at the port likely to be required by qualified food inspectors possibly covering up to 4 crossings a day	Shift and rotas being explored. Contingency to have mutual aid or additional staff for food enforcement. Qualified officers supported by caseworkers.
Number of current qualified food inspectors is 4, increasing to 5 in October impact on other work	Shift and rotas being explored. Contingency to have mutual aid or additional staff for food enforcement. Qualified officers supported by caseworkers.
New Import Notification System (INS) required for import controls	Currently investigating whether we would need to access this
Requirement to undertake physical checks of high risk imported food 20% sample	Staff attended training and documents to be produced
Offices/IT currently in Port	Office provision is available in the newly refurbished Ferry Terminal
Food detention facilities at Port	Office provision is available in the newly refurbished Ferry Terminal. In addition facilities at

	Saxon House and Southover will be sought.
Refrigeration facilities at Port	Possible ability to share Border Force container
Export Certificates will need to be produced for unknown number of exporters no longer able to use EC mark	Staff attended training and documents to be produced
Take time away from other BAU activities	Backfill with qualified officers
Bigger impact of transit food stuffs originating outside EU	Staff attending training and documents to be produced
Facilities will require water, electricity and WIFI to allow temporary office	Facilities are available at the Ferry Terminal.

Other Council Risks

- Vehicle stacking on roads unlikely but if gridlock in town then Robinson Road, Avis Way, Incinerator access may be affected. Other impact on transfer stations.
- Possibility of Fuel shortages
- Spare parts for vehicle fleet shortage
- Need to utilise any council employee who has obtained Environmental Health Officers Registration Board accreditation (EHORB) possible secondment for port health duties.
- Lewes Bonfire is a high risk event that many Environmental Health Officers who would normally undertake food hygiene enforcement will be required to work. Should EU Exit prove more complex than anticipated then it may be necessary to seek mutual aid from neighbouring authorities.