

Brexit: past the point of no return

Wednesday 1 August 2018 Dr Richard North

"Brexit is shaping up to be the stuff of nightmares and it's essential the government begins to explain to businesses and the public exactly what the implications of a no deal Brexit are".

So says [Ian Wright](#), chief executive of the Food and Drink Federation. He wrote to Dominic Raab a fortnight ago urging a meeting with leaders from across the food industry to address concerns. But that "conversation" is yet to happen, so the man has gone public.

This is unfortunate for the government. Just as we slide into the silly season, when the media has precious little to report, food security – and the allied issue of medicines availability – is set to become the dominant theme with nothing obvious waiting in the wings to drive it off the agenda.

As they always do, the media will focus on the lurid and play to the sense of crisis, painting a picture of "food rotting at ports, reducing the choice and quality of what is available for consumers", with shortages and rationing not far over the horizon.

In the absence of any signs of clear leadership from Mrs May and her government, such speculation is inevitable and can only get worse. One harbinger was the release of a [48-page report](#) from Dover District Council on the impact of Brexit on its district.

One of the key findings of the report is that no start date has been announced for works to deal with the overflow of traffic arising from new customs and inspection arrangements – and there does not appear to be a plan B. Thus, in the view of Dover Council, the plan – called Operation Brock - to turn a 13-mile section of the M20 into a giant lorry park will have to take effect and may be in force for some time.

However, Operation Brock is only capable of dealing with 2,000 lorries, while approximately 10,000 lorries a day (in and out) use the Port of Dover and 6-7,000 lorries a day use the Channel Tunnel. Thus, if there are to be hold-ups of any significance, one can envisage systems being very quickly overwhelmed. Within a day or so – in theory at least – queues could have reached the M25.

As regards the inspection of foodstuffs, the Council admits has no data on the flow of goods and it is therefore "impossible to obtain accurate figures as to the scale of the potential foodstuffs that may require additional controls". All that can be ventured is that quantities entering the UK are "believed to be substantial". Officials are "in the large ... blind as to what is entering the port".

The need for additional controls was an issue about which I first started writing in [January 2013](#), and Booker put in print in [February last year](#), so the powers-that-be can hardly say that the problems could not have been predicted.

But the media wasn't interested then which meant that government inaction wasn't coming under the same level of scrutiny. Only when time has already run out and it is too late to put in effect any measures to deal with a "no deal" Brexit do we now start seeing the extravagant headlines and the laments. Rending of garments and gnashing of teeth will no doubt follow.

Worryingly, the lack of government activity seems to run right across the board, witness the [latest report](#) from the Home Affairs Committee, chaired by Yvette Cooper, Labour MP for Normanton, Pontefract and Castleford.

This addresses "Policy options for future migration from the European Economic Area" and it opens with the observation that with eight months to go until Brexit, "the Government is yet to set out any substantive proposals on long-term migration between the UK and the EU. White papers and pieces of legislation, promised on multiple occasions by successive Home Secretaries, have been delayed".

The report then continues with the complaint that there has been no

attempt by the Government to build consensus on future migration policy "despite the fact that the issue was subject to heated, divisive and at times misleading debate during the referendum campaign in 2016". Thus, "an opportunity to help business and employers plan, and a crucial moment to rebuild confidence in the migration system, has so far been missed".

This is a report where Sir Ivan Rogers makes considerable input, suggesting that EEA membership, whilst "implausible as the medium, longer-term destination", could offer a short-term, transition route out of the EU.

The drawback, he said, would be "rule-taking" of "significant chunks" of the single market *acquis*, but the potential advantages for the UK would be "not in a customs union, clear sovereignty and autonomy on trade policy, as the EFTA states have and they have their own free trade agreements. It is unfortunate that Sir Ivan repeated the "rule taker" meme, but he was more than helpful on other areas.

EEA countries, the Committee said, "are subject to free movement rules, but witnesses suggested that there might be more potential for the UK to control free movement as an EEA member or as part of a bespoke EFTA-style agreement than as an EU member".

In that context, special note was taken of Liechtenstein which, since 1998, had "exercised a brake on free movement on the basis that its geography makes it particularly vulnerable to high population flows".

While ostensibly derived from the emergency brake provisions of the EEA Agreement, the Committee says, "the Liechtenstein arrangement has effectively become permanent". It adds: "To many the Liechtenstein example is too small to be relevant, but the Leave Alliance believes that it sets an important precedent.

In [its paper](#), *Single Market participation and free movement of persons: The use of EEA Safeguard Measures* the Leave Alliance states that whilst the numbers involved are very small, "what matters is that a precedent has been set within the framework of the EEA Agreement for suspending freedom of movement in respect of a single country, and replacing with a quota system for what amounts to an indefinite period".

The Committee thus recommends that the "existing safeguard measures available to EFTA states as part of their trade relationships with the European Union demonstrate that they can - in principle - exercise more controls on immigration while participating in the single market than are available to EU Member States.

Were the Government to change its red lines, it says, such arrangements might provide a basis for drawing up means of controlling EEA migration from within the single market.

To see this set out is extremely good news but, as it provides a potential solution to a long-standing problem, one struggles to find any reference to it in the legacy media. Journalists are in business to highlight problems, not solutions. The fact that the Leave Alliance paper on EEA safeguard measures was published in July 2016 is neither here nor there.

The tardy response is very much is evident with reports concerning the [car industry](#).

While we were writing on the issues in [February 2017](#) and again in [November last year](#), we now see Mike Hawes, chief executive of the Society of Motor Manufacturers and Traders (SMMT), argues that his members are "increasingly concerned" about the prospects for the UK leaving the EU on WTO terms, declaring that "no-one would confess to being Brexit ready" in the trade.

Perhaps the only good news is to see the [Guardian](#) continuing to hammer away at the IEA, this time pointing out that "Jersey Finance paid for IEA report rubbishing 'hotbeds of tax evasion' claims".

If this type of "rent-an-opinion" think tankery can be more widely exposed, our lives will be a little easier as the number of high profile proponents of a "no deal" Brexit will be reduced. But, with everything being left to the last minute, Ian White's "stuff of nightmares" is only too real.

I liken Brexit to sitting in an old-fashioned airliner crossing the Atlantic in the days when range was marginal and strong headwinds could actually

force aircraft to turn back. In these cases, pilots had to calculate their "point of no return", whence – once they were past it – would not have the range to get back safely.

In this case, I see us past the point of no return but with insufficient fuel to get to our destination. For the moment, the aircraft continues to fly as the cabin crew ply the passengers with food and drink. But up front, in the cockpit, the pilots know that they will never make landfall.

One wonders if Mrs May actually realises this. Whatever she does now, it is too late for a successful Brexit.