



UKELA Brexit Task Force meeting
25 April 2018 at 1.30pm at 39 Essex Chambers

Minutes

Attendees

Richard Macrory QC (RM)
Andrew Bryce (ABr)
Begonia Filgueira (BF)
Anne Johnstone (AJ)
Richard Wald (RW)
Penny Latorre (PL)
Bridget Marshall (BM)
Philip Hunter (PH)
Karen Blair (phone) (KB)
Stephen Tromans QC (ST)
Bob Lee (BL)
Colin Reid (phone) (CR)
Eloise Scotford (ES)
Wyn Jones (phone) (WJ)
Angus Evers (AE)
Peter Harvey (phone) (PH)
Nina Pindham (NP)
Jill Crawford (JC)
Patrick Duffy (PD)
Caroline Fielder (CF)
Alison Boyd (AB)
Paul Stookes (PS)

Apologies

Sir Francis Jacobs
Christian Jowett
Haydn Davies
Paul Davies
Richard Barlow
Stephen Hockman QC
Andrew Wiseman
Francis McManus
Peter Dixon
Stephen Sykes

1. Welcome from Co-Chairs
2. Minutes of meeting on 17 January were agreed
3. Update on activities since last meeting (Andrew Bryce, Anne Johnstone and Alison Boyd)
 - a. Year One review – review paper signed off by BTF members subject to updating and inclusion of draft foreword. It would then be circulated to all UKELA members and placed on the website. Other points made were that it was important to keep the profile of the BTF high; this could be achieved by following up with government and other stakeholders on the core recommendations in the existing reports. RM agreed to extract ten core

recommendations as a starting point and would provide these to the chairs, with input from CR, KB and Victoria Jenkins (for Wales).

Lexis Nexis report – AB to follow up with PS, with a view to publishing on the website asap. A Brexit event, held jointly with CIWM, planned for later in the year in Belfast was still expected to go ahead. RM and ABr would attend from BTF. Colin Church was the CIWM speaker. KB to liaise with AB on next steps and advertising. AJ confirmed that Malcolm Hollis would kindly sponsor.

- b. New Co-Chairs – AJ confirmed that BF had taken over from RM; AE would be taking over from ABr after the UKELA AGM in June. RM and ABr were thanked for their hard work and the new Co-Chairs were welcomed
 - c. New Working Party and Brexit Advisor – AJ introduced PS as the new WP & Brexit advisor; she also reminded meeting of new staff structure with AB as Operations Director
 - d. Reports – reports on standard setting and cooperation bodies were published in January and February respectively. To follow were reports on Scotland and Scotland & Environmental Law. AB to liaise with PS to get these reports finalised and published asap.
 - e. Consultation responses – noted that a consultation on sanctions guidance was current. JC will liaise with RM on a response. On consultations more generally, it was agreed that some measure of priority would be given where several were in train, to enable working parties to be clear on responding in key area. AJ added that ad hocs groups could also be set up to respond where the consultation didn't necessarily fit a specific WP.
 - f. Scottish activity – see (d) above
 - g. Evidence to Parliamentary Committees
 - i. Haydn Davies on EAC 25 year plan: <https://goo.gl/vbcHke> - the meeting noted this
 - h. Contact with government, regulators, NGOs, Commission and MPs – the key area was the likely consultation on the environmental body, possibly due in the next 3-4 weeks. It was agreed that this was a key activity for UKELA, possibly the most important task of the year for the WPs. In the light of discussion on this matter, the BTF agreed that an ad hoc group comprising BF, AE, JC, PH and Nigel Pleming QC would be ready to respond in short order. A meeting of the group would be arranged for the end of May as a first step and to consider a paper from RM. A second action would be to send a note round all UKELA members inviting them to engage on this important activity via their WP of choice. It was also suggested that the WP sessions at Conference might be used as an opportunity for each WP to discuss their contribution to a response. This would then feed into the working group. The separate WP convenors session at conference would also be a suitable opportunity to focus on this issue.
 - i. A successful Waste WP seminar on Brexit was held in March in association with CIWM and ESA.
4. Review UKELA's Brexit Activity for next 6 months, including next round of topics on which to focus suggestions from the meeting included:
- o Brexit and Marine (fisheries and trade key area) – NCWP are discussing at their next meeting and will aim to produce a note after that. WJ advised that CAP/agri-environment was not a focus area for UKELA currently
 - o Consultation on health and harmony was currently live – for new WP on Public Health and Environmental Law to pick up possibly
 - o Aarhus convention and environmental information – it was agreed that these laws would be rolled over but to monitor
 - o Climate change issues - ES thought this would be a fruitful area given the Committee on Climate Change's view that after the transition period the UK would lose some of the mechanisms that allow the UK to account for their Paris Agreement commitments.
 - o International environmental law – ES suggested this area might be a focus for her new intake of students at UCL and this could be undertaken in partnership with UKELA
 - o Trade and the environment – agreed that Christophe Bondy (who spoke at UKELA event on this topic in December 2016) should be approached to speak at the next BTF meeting. PS to liaise with BF/ABr/AE on taking this forward. Another contact was Emily Lydgate at Sussex University.

5. Future events - possibly on new Environmental Body/Standard Setting. It was agreed that this should be explored further. AJ will liaise with a former colleague now at Chemical Industries Association as a possible speaker; PS will liaise with Veneta Cooney as convenor of the Public Health and Environmental Law WP about potential speakers. To revert once the position on the environmental body is clearer.
6. Date of Next Meeting - 11 or 17 July tbc
7. AOB – BL advised that he was attending the next meeting of the Institute of Government on Friday 27 April. The theme of the meeting was Environmental Governance post Brexit. AJ noted that a risk analysis report by FOE on UK Environmental Policy post Brexit had been published. Read it on the [FOE website](#)