**Leaders Minutes for Brexit Topics**

26-8-16

1. **COSLA Response to Leaving the European Union**

Leaders considered a report which provided an updateover where the UK and Scotland collectively were post the European Referendum of 23 June. The report also highlighted emerging matters of importance to Scottish Local Government, outlined suggested areas of activity for COSLA’s leadership and officials and sought a political mandate for work to progress with the support of Leaders.

Leaders highlighted a number of concerns which needed addressed particularly around areas such as agriculture support and migrant workers from other EU countries - which were particular crucial to industries in Island authorities. The importance of COSLA securing a place at the negotiating table with the UK and Scottish Governments was also emphasised.

Cllr Steven Heddle also proposed that an additional recommendation be incorporated in the following terms ‘we should develop this workplan for future reporting based on emerging information from Councils such as the individual councils’ responses to the consultation from the Scottish Government on areas likely to be affected by Brexit’, which the meeting agreed.

Accordingly, Leaders:

1. agreed the broad parameters of the approach to be taken by COSLA politically and at an officer level to respond to the EU Referendum result, particularly that COSLA continue to seek Scottish Local Government access to the high level political negotiations at UK and Scottish levels;
2. considered the impact in their local areas and added to the developing list of issues of importance to councils;
3. agreed that further reports be brought back to Leaders and Executive Group meetings as appropriate to allow more detailed consideration of specific matters and to agree Local Government positions as further information becomes available; and
4. COSLA should develop this workplan for future reporting based on emerging information from Councils such as the individual councils’ responses to the consultation from the Scottish Government on areas likely to be affected by Brexit.

25-11-16

1. **Developing COLSA’s response to leaving European Union**

Leaders considered a report which provided a brief update on where the UK and Scotland collectively were post the EU Referendum vote of 23 June, and suggested positions to be pursued and promoted by COSLA.

Leaders:

1. noted the summary of how Brexit appeared to be proceeding and the initial activity of COSLA at a political and officer level to influence this;
2. considered the proposed areas where mandates were sought to ensure that local political leadership could be maintained and developed, and other areas where information input and policy development was required (paragraphs 21-33 of the report);
3. approved the mandates and further matters to be pursued subject to discussion and agreement of Group Leaders;
4. agreed that a short life Task Group be established, comprising COSLA Presidential Team and Political Group Leaders and chaired by Cllr Hagan, Development, Economy and Sustainability Spokesperson; and
5. agreed that further reports be brought back to COSLA Leaders meetings, Convention and Executive Groups, where appropriate.

27-1-17

1. **Brexit**
2. **General Update**

Leaders were provided with an interim update report on matters relating to Brexit, pending a fuller, more considered report at February’s Leaders’ meeting.

During discussion, it was requested that COSLA actively promote the rights of EU citizens living in Scotland as workers and residents.

Leaders:

1. endorsed COSLA’s ongoing activities on Brexit; and
2. noted that a further report will be provided to the next meeting to allow COSLA to

agree its negotiating position up to the summer recess.

1. **Migration: Implications for local authorities**

Leaders considered a report which provided an update on the potential impact Brexit could have on in-migration to Scotland and the implications for Scottish Local Government. This report was one element of COSLA’s wider information gathering work.

Leaders:

1. agreed that COSLA officers should continue to work with individual local authorities, professional organisations and academics to gather evidence and case studies on how Brexit would impact at the local level;
2. supported COSLA to ensure Scottish Local Government concerns were considered in any negotiations for an immigration system; and,
3. agreed the importance of local leadership to ensure community cohesion.

24/2/17

1. **Brexit**

Leaders considered a report which provided an update of the work currently underway on Brexit and sought a mandate to guide the work over the next few months.

Leaders:

1. noted the update on matters relating to Brexit in paragraphs 3 to 19 of the report;
2. considered and agreed the draft mandate section be progressed over the next few months at paragraphs 20 to 25 of the report; and
3. agreed a further report to Leaders in May 2017.

25-8-17

1. **Brexit**

Leaders considered a report which provided an overview of the existing mandate for work on Brexit, the emerging themes, and the structures in place for planning, progressing and coordinating work on issues which would arise from Brexit over the coming months. The report invited views on the workplan and next steps that COSLA should take.

During discussion, it was suggested that it would be beneficial to invite a member from the voluntary sector onto the Brexit Strategic Stakeholder Group and it was requested that rural development linked to agriculture and sea fishing be specifically incorporated to the mandate areas table. In response, COSLA officers agreed to pick these issues up accordingly and to share further information with Leaders following the meeting around COSLA’s ongoing work. Finally, Leaders were advised that COSLA would be demonstrating the importance of Island and rural proofing through a range of case studies with local authorities.

Cllr John Alexander, seconded by Cllr Susan Aitken moved that an additional recommendation be incorporated in the following terms; - ‘COSLA reaffirms our opposition to withdrawal from the EU and supports Scottish Government’s attempts to engage with other devolved administrations to secure the best outcome for Scotland’.

Cllr Jim Gifford, seconded by Cllr Douglas Lumsden moved the recommendations as tabled in the report.

The President clarified that Cllr Alexander’s proposal would be taken as the amendment and Cllr Gifford’s as the motion.

On a vote being taken by show of hands, 14 voted for Cllr Alexander’s amendment and 18 voted for Cllr Gifford’s motion which was deemed to be carried.

Accordingly, Leaders:

1. considered the existing COSLA mandate on the UK Withdrawal from the European Union;
2. agreed the current work planning approach, subject to the additions discussed at the meeting being included;
3. agreed to continue the standing arrangements which provide ongoing political oversight; and
4. agreed that COSLA should be involved in meetings at all political levels as this agenda progresses.

27-10-17

1. **Brexit**

Leaders received a report whichprovided a commentary on the need for formal governance arrangements covering areas of shared competency between Scottish Local Government and the UK Government. The report sought views over both the principles and options for lobbying on a way forward as well as providing an update on the Brexit workplan.

The President also provided a verbal update on a meeting she and the Vice President had in Brussels with the Chief EU Negotiator for Brexit, Michel Barnier on 23 October.

Cllr Jim Gifford, seconded by Cllr Douglas Lumsden moved an amendment in the following terms – replace recommendation i. with ‘notes the report and progress made to date and asks for deferral on the ‘asks’ in para 10-19 of the report until such time as terms of reference for the suggested committee are formulated and agreed by COSLA Leaders’.

Cllr Douglas Reid, seconded by Cllr Scott Farmer moved that the recommendations as laid out in the report be agreed.

On a vote being taken by show of hands, 26 voted for Cllr Reid’s motion and 4 voted for Cllr Gifford’s amendment. Cllr Reid’s motion was therefore deemed to be carried.

Accordingly, Leaders:

1. agreed how best to proceed in our ‘ask’ for replacement governance arrangements between Local and Central Government over areas where we had shared competencies, as set out in paragraphs 10-19 of the report;
2. noted that progress was already being made and that proposals would be helpful to all parties;
3. noted that the Environment and Economy Board had recently considered a detailed paper on future Regional Policy and possible replacement for EU Structural Funds and that a paper on the matter would be submitted to the next Leaders’ meeting;
4. noted that a paper on migration issues would also be submitted to the next Leaders’ meeting; and
5. noted the verbal feedback provided at the meeting regarding the Presidential Team’s meeting with Michel Barnier, European Chief Negotiator for Brexit, on 23 October 2017.

24-11-17

1. **Migration Policy – Brexit Implications**

Leaders considered a report which outlined recent COSLA activity on Brexit relating to future migration policy.

Leaders:

1. noted the meeting that has taken place with the Minister of State for Immigration and agree to continue with these discussions;
2. noted the meeting with the Minister for International Development and Europe and agree that COSLA support the proposed regional events regarding EU citizens;
3. agreed COSLA’s response to the Scottish Affairs Committee Inquiry on Immigration and Scotland (appendix 1 of the report);
4. agreed COSLA’s key messages to the Scottish Affairs Committee inquiry (paragraph 13 of the report);
5. noted and supported the drafting of a COSLA response to the Migration Advisory Committee call for evidence on European Economic Area-workers in the UK labour market; and
6. noted and supported COSLA’s roundtable event with the Migration Advisory Committee and local authorities.
7. **Replacement and Opting into EU Funds post-Brexit**

Leaders received a report which sought to finalise key negotiating principles around the replacement of EU funding and the possibility of opting into some EU cooperation programmes, once the UK had withdrawn from the EU.

During discussion, it was requested that COSLA pull together information to help evidence the case about the need for EU funding to continue by identifying what currently comes into local authorities and the impact the withdrawal of this would have on employability, the economy and particularly rural areas. Officers agreed to take this forward.

Cllr Willie Sawers commented on Dundee City Council’s disappointment that they had now been prevented from applying to be Council European Capital of Culture in 2023.

Cllr David Ross, on behalf of the Labour Group, asked that it be recorded that they acknowledged the hard work Dundee had put into the process and that they fully supported them trying as hard as they could to take forward a successful bid.

Cllr Willie Sawers, seconded by Cllr Cecil Meiklejohn moved a motion that an additional recommendation be incorporated in the following terms : - ‘Note the enormous benefits international cultural engagement can bring. Note that the Scottish Government wrote to the UK Government last year seeking reassurances that the UK continue to participate in partnerships like the European Capital of Culture. Expresses concern at the amount of time, effort and expense Dundee have put in to scoping out their bid which has been wasted thanks to the Brexit policy of the UK Government.’

Cllr Jim Gifford, seconded by Cllr Douglas Lumsden moved an amendment to the motion put forward by removing the last sentence and replacing it with ‘Acknowledge the hard work that Dundee has put into this process so far, and express our concerns about the attitude of the European Commission and fully support the council in trying to take their bid forward.’

On a vote being taken by show of hands, 14 voted for Cllr Sawers’ motion and 10 for Cllr Gifford’s amendment. Cllr Sawers motion was therefore deemed to be carried and was incorporated to the recommendations in the report.

Accordingly, Leaders:

1. noted that the Environment and Economy Board had discussed the issues in the paper in some detail;
2. agreed that COSLA officers work with Local Government officers and Scottish and UK government officials to seek to ensure that the spend of remaining funds in the existing EU funding programme was optimised;
3. agreed the key principles for Local Government lobbying on forthcoming consultations and for the closure of existing EU funding programmes and their eventual replacement by domestic funding arrangements;
4. agreed the key principles for discussions with Scottish, UK and EU institutions on the possible opt into some EU cooperation programmes open to local authorities; and
5. noted the enormous benefits international cultural engagement can bring. Noted that the Scottish Government wrote to the UK Government last year seeking reassurances that the UK continue to participate in partnerships like the European Capital of Culture. Expressed concern at the amount of time, effort and expense Dundee had put in to scoping out their bid which had been wasted thanks to the Brexit policy of the UK Government.

25-5-18

1. **Brexit Update**

Leaders considered a report which provided an updateon recent Brexit centred developments. These were not meant to be definitive of every COSLA activity around Brexit, but focused primarily on the governance and negotiation arrangements for the returned powers, at a UK or Scottish level, and provided some information around some recent relevant lobbying and meetings. It was noted that more detailed information on specific policy was being provided as appropriate through the Policy Boards.

During discussion, the importance of the developing arrangements being given a statutory footing was emphasised. It was also clarified that COSLA had been having discussions with all appropriate partners and stakeholders, including the Scotland Office, and this would continue as negotiations progressed.

Leaders:

1. agreed that, given current developments over the Joint Ministerial Local Government Committee, the President write to the appropriate UK Minister to welcome this, while raising the need for the arrangements ultimately to be given a statutory footing;
2. agreed that, given the likelihood that initial activity would soon be underway to revise the Joint Ministerial Committee arrangements, to write to the Scottish Government asking that Local Government be included in issues with a local impact or affecting shared competencies;
3. noted the arrangements set up to meet regularly with Mike Russell, Minister for UK Negotiations on Scotland's Place in Europe and that this was likely to generate future reports on specific issues through COSLA’s governance structures; and
4. noted that further reports on the developing Settlement Scheme for EU citizens and their families post-Brexit would be brought back to future COSLA meetings.

29-6-18

1. **EU Charter**

Leaders received a report which provided an update on proposals for a Member’s Bill seeking to put the European Charter of Local Self Government into law in Scotland, highlighted that a draft response to the initial consultation would be brought to Leaders in August, and asked Leaders to support this work through appropriate communications and parliamentary activity.

Leaders:

1. noted that an initial consultation on a Members’ Bill would be published by Andy Wightman MSP;
2. noted that COSLA would develop a formal consultation response for consideration by Leaders in August; and
3. agreed that COSLA developed an appropriate programme of communication and parliamentary work to support this activity in line with its democratic principles.

31-8-18

1. **Brexit**

The report presented sets out that COSLA are collating a comprehensive summary of the COSLA policy positions concerning Brexit and matters relevant to our relationship with the European Union now and into the future. It is intended this will act as a reference point for all, but particularly COSLA politicians and staff negotiating around Brexit over coming months. Once the final draft is available, subject to Political Group Leaders’ agreement, it will be sent out to all councillors. It will be made as accessible and useful as possible, including publication on the COSLA internet site. COSLA Officers have also been working with the Scottish Government to establish some structure to the preparedness work both ongoing and planned across the public sector. Officers will bring back some further detailed work – broadly based around the four themes of People, Goods and Services, Place, and Funding – to future Leaders’ meetings.

A request was made for COSLA to persuade the Government for the need to develop regional policies where collaboration has taken place, and to firm up on what powers can be devolved to local authorities. The President responded that the work being undertaken will reflect COSLA’s position regarding devolution.

Recommendations and Outcomes

This paper invited Leaders to:

1. Note the intention, subject to COSLA Political Group Leaders’ agreement, to issue a summary to councils comprising all the various positions relating to Brexit adopted by COSLA over the last few months;
2. Note that these will be utilised appropriately by COSLA politicians in forthcoming engagement around Brexit;
3. Encourage their officers to provide examples of the benefits from current EU funding and other arrangements that they would like to see preserved, as well as any threats or opportunities to local communities from the Brexit process via [brexit@cosla.gov.uk](mailto:brexit@cosla.gov.uk); and
4. Note that further reports will be brought back to Leaders on a range of issues relating to Brexit over coming months.

Leaders agreed all recommendations.

1. **EU Settlement Scheme**

This report provided an overview of the proposed scheme.  It provided details on how EU citizens and their families can apply for status, the conditions for eligibility, and how it will work.  It is recognised that local government is well placed to communicate the scheme through our role as employers, service providers and as representatives of our communities. COSLA is working closely with the Home Office to ensure that EU citizens living in the UK know what they need to do as we approach the launch of the scheme in March 2019.  Local authorities, Scottish Government and COSLA have been hosting regional events for EU citizens and a key concern voiced throughout these events is around settled status fees.

Recommendations and Outcomes

This paper invited Leaders to:

1. Agree that COSLA continues to work with the Home Office and Scottish Government to support and inform EU citizens in our communities about the EU Settlement Scheme;
2. Agree that COSLA writes to the Home Secretary to ask for consideration of lowering or waiving fees for low-income households;
3. Agree that COSLA writes to the Minister for Europe, Migration and International Development to seek clarity on the Scottish Government’s commitment to pay the settled status fees of EU citizens working in the public sector in Scotland; and,
4. Agree that a paper on identifying and supporting vulnerable groups through the EU Settlement Scheme will be taken to the COSLA Community Wellbeing Board in the Autumn.

Following the political group recess, Leaders stated that everything possible should be done to assist the transition. Indications from local authorities are that they will be stretched; some are considering taking on extra resource to support requirements.

The SNP Group proposed an additional recommendation as follows:

‘To remit the Community Wellbeing Spokesperson and COSLA officers to negotiate with the UK Government for funding to assist local authorities to provide support to EU nationals applying for settled status who wish to live and work in Scotland’.

This recommendation was seconded by Councillor Jonathan McColl (West Dunbartonshire Council) and now stands as recommendation (v).

Leaders agreed all recommendations.