

Brexit: Global and Political Affairs Unit Briefing

28 March 2019

Summary

Last night in Parliament, MPs voted on eight alternative options for taking the Brexit process forward. None commanded a majority, although the proposal to seek a customs union with the EU came within 8 votes of doing so. MPs agreed to hold further votes to whittle down these options next Monday (1st April). The votes are not legally binding but are politically significant; the more the government loses control, the more possible a General Election becomes, to secure a government with a majority in the House of Commons.

In a bid to secure support for her deal, the Prime Minister announced she will stand down after the withdrawal phase of the Brexit process, leaving a successor to negotiate our future relationship with the EU. This has persuaded some Conservatives to back her deal but the DUP has reiterated its opposition, making the deal unlikely to pass.

It is worth noting that, even if the Withdrawal Agreement is agreed to, any successor Prime Minister would be bound by the 'Irish backstop' commitments in that agreement, limiting their room for pursuing a 'hard Brexit' with regulatory divergence that would need policing along the Irish border.

Also in Parliament yesterday, the House of Commons Speaker reiterated the procedural barriers to the government bringing forward 'Meaningful Vote 3'. MPs also voted to change 'Brexit day' in UK law, bringing it into line with international law, which states the UK will leave the EU on 22 May (if the deal is passed) or 12 April (if it is not).

Background

Following Monday's vote in the House of Commons, MPs yesterday took control of Parliamentary business from the government and staged a series of votes on alternatives to the Prime Minister's deal. None of the options received majority support, although the proposal to seek a customs union with the EU was defeated by just 8 votes. More detail on the various options can be found [here](#). The votes are not binding on the government but are of political significance. Further votes are proposed for Monday 1 April to whittle down the options.

MPs voted on eight propositions. These are listed below with the results:

Option (B) – Leaving on 12 April with no deal, proposed by Conservative MP John Baron (For 160, against 400)

Option (D) – Common Market 2.0 (remaining in the single market, as well as in a customs union with the EU until an alternative plan to avoid a hard border in Ireland is found), proposed by Conservative MP Nick Boles (For 188, against 283)

Option (H) – EFTA and EEA (remaining in the single market but no customs union with the EU; the proposal therefore notes the need for measures related to the Northern Ireland border), proposed by Conservative MP George Eustice (For 65, against 377)

Option (J) – Customs Union, proposed by Conservative MP Kenneth Clarke (For 264, against 272)

Option (K) - Labour's alternative plan including a customs union, 'close alignment' with the EU single market and dynamic alignment on rights and protections, proposed by Labour leader Jeremy Corbyn MP (For 237, against 307)

Option (L) - Revocation of Article 50 to avoid no deal, proposed by SNP MP Joanna Cherry (For 184, against 293)

Option (M) – A confirmatory public vote on any deal before it is ratified and implemented, proposed by Labour MP Dame Margaret Beckett (For 268, against 295)

Option (O) – A ‘standstill’ period, preserving current arrangements, for two years, if no deal is reached (a proposal repeatedly rejected by the EU), proposed by Conservative MP Marcus Fysh (For 139, against 422)

MPs also voted yesterday on a technical measure (Statutory Instrument) to change UK law to accommodate the new exit date of 22 May (if the Withdrawal Agreement is agreed by MPs this week) or 12 April (if the deal is not agreed to this week). This passed by 441 votes to 105.

Prior to the ‘indicative votes’ in Parliament, the Prime Minister addressed the 1922 Committee of backbench Conservative MPs and told them she will stand down as Prime Minister once the withdrawal part of the Brexit process is over, making way for someone else to take over negotiations over our future relationship with the EU.

As a result, a number of Conservative MPs have switched to backing the deal, although few Labour MPs have indicated they will support the deal, which would be needed to account for the Conservatives who are still opposed. In a statement last night, the Conservative Party’s confidence and supply partners, the Democratic Unionist Party (DUP), repeated their opposition to the deal, making securing a majority for it unlikely.

Note, the Irish backstop contained within the Withdrawal Agreement would constrain any future Prime Minister seeking a looser trading relationship with the EU (outside the customs union with possible divergence from EU single market rules) if he or she were unable to provide a way of doing this without the need for physical checks on goods passing through the Northern Ireland/Republic of Ireland border. Such a solution has not been found in the negotiations to date.

Also yesterday in Parliament, the Speaker of the House of Commons ruled the government cannot bring back the Brexit deal for MPs to vote on by asking them to set aside the rule about Parliament not voting on the same thing twice. The government was considering a procedural move that could have proved MPs wanted to have another vote, regardless of the parliamentary convention. But the Speaker has controversially blocked allowing MPs to set aside that rule, calling into question the fundamental principle that the House of Commons determines its own rules of operation.

What is likely to happen now?

More votes are planned for Monday 1 April to whittle down the different Brexit options with a view to finding one that can command majority support. It is unclear whether the government will act on the results. MPs could legislate to require the government to do so, but the further down this route MPs go, the more likely a General Election becomes as the government would effectively have lost control and power.

In the meantime, the government has asked Parliament to sit on Friday (a day it does not usually sit) to give more time to bring forward another vote on the Brexit deal before the EU’s deadline of the end of the week. MPs will vote on whether they want to do so today. Even if they do, the government will need to find a way around the Speaker’s ruling about needing “substantial” changes following ‘Meaningful Vote 2’, in order to bring the deal back to be voted on a third time. Options include ending the current session of Parliament (proroguing), since the rule only applies in each Parliamentary session. But this could take days and would mean Bills currently being scrutinised by Parliament could be lost.

The deal looks unlikely to pass if voted on, and the default position is that the UK leaves the EU on 12 April in any case. The EU has asked that, in the event the deal is not agreed to by the end of the week, the UK make a proposal about what it wants to do next before April 12.

What will this mean for the University of Nottingham?

Yesterday’s events prolong uncertainty. It is possible the UK could leave the EU without a deal in place on 12 April, meaning the University along with the country could face significant disruption.

What will the University of Nottingham be doing?

The University is further stepping up its no deal preparations to include scenario planning and involving a wider group of colleagues.

- *Preparing for No Deal*

Given this is the default position in law, in the absence of an alternative course of action being pursued, the University is stepping up its preparation for the UK leaving the EU without a legal framework in place ('no deal'), primarily via the No Deal Incident Management Team, chaired by Registrar Dr Paul Greatrix.

The team has been monitoring developments to manage University operations in the event of no deal, and has identified 'Brexiteer' staff in each area of the University to manage local impacts. This includes ensuring the preparedness of our supply chains to continue to provide research materials, goods and services; continuity of travel arrangements to the continent and associated insurance issues; and contractual and legal issues in the event of a no deal scenario. The team is now moving to scenario planning and briefing colleagues across the University.

- *Communications*

To ensure Brexiteers and the wider University has clear and accessible information and advice in the event of 'No Deal', we will use the [Brexiteer Information Hub](#) on our webpages as the principle repository for information. The hub has dedicated sections for staff, students, and researchers and will be regularly updated as information becomes available. The hub will also host a Q&A section which will be updated with questions and answers as they arise.

In the event of a No Deal scenario, clearly, events may be fast-moving leading to questions from staff and students. We will provide briefings and updates via email cascades to Brexiteers, Heads of School and Professional Services departments. Students will receive relevant information via their fortnightly newsletter and social media channels. In all events, the same information will be presented on the Brexiteer Hub.

If you have a question or require advice, please study the Brexiteer Hub and its Q&A initially. Should you require further information, please get in touch with the relevant Key Contact listed below or email the EU-Task Force mailbox.

- Procurement enquiries: angela.porter@nottingham.ac.uk
- Staff Issues (inc Settled Status): hrbrexiteeradvice@nottingham.ac.uk
- Research & Innovation: matthew.rackley@nottingham.ac.uk

- *Reassurance and support for our EU staff*

The EU Settlement Scheme enables EU citizens to apply for either settled or pre-settled status (for those who've been here fewer than five years), allowing them to continue living in the UK post-Brexit. The University of Nottingham has 800 staff who are EU citizens. The scheme will be open fully by 30 March and applications will be free. People who have paid an application fee during the test phases will receive a refund after 30 March 2019. HR-related Brexit questions can be directed to hrbrexiteeradvice@nottingham.ac.uk.

The Vice-Chancellor hosted the University of Nottingham European Staff Celebration event on 19th March to celebrate the contributions of our European colleagues, recognising this is an extremely worrying time. Read more about the event [here](#).

- *Guaranteeing research funding*

Colleagues in the University's Research and Innovation department have registered all EU-funded current projects with UKRI so they can be covered by the UK government's underwrite, intended to keep projects running in the event of a no deal Brexit. Research and Innovation are also standing by to perform the financial and contractual management tasks that will facilitate the underwrite, should it come into play. Read more about the government underwrite [here](#).

- *Guaranteeing Erasmus+ after Brexit*

The University of Nottingham is proud to have one of the largest Erasmus+ student mobility programmes in the UK. The government has assured universities it is working on the basis of the UK remaining a participating country in the Erasmus+ programme after 29th March 2019. However, in the event of a 'No Deal' Brexit, the government has only confirmed it will underwrite the UK's participation in European based student mobility for the 2018/19 academic year. In the potential absence of government funding beyond 2018/19, therefore, the University will continue to underwrite outgoing student mobility programmes to the EU and Erasmus+ partners for the next three years to 2021/22. More information [here](#).

- *Looking beyond Brexit*

The University's *EU Taskforce* provides strategic direction for the University to prepare for and navigate a post-Brexit environment. Chaired by Deputy Vice-Chancellor Andy Long, and reporting to the University Executive Board, it is modelling scenarios and developing approaches to ensure the University continues to thrive post-Brexit in terms of its student recruitment, research partnerships, funding and grants, and evolving its global outlook.

Further reading

BBC – Brexit vote: what options are MPs voting on? <https://www.bbc.co.uk/news/uk-politics-47704794>

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