

The future of Sustainable Food after Brexit: 6 Things to look out for.

Ever since last year's referendum, the likely impact of Brexit on UK environment policy has been subject to examination. Conclusions have fallen into roughly two camps – those that foresee the return of Britain's reputation as the dirty man of Europe – and those that identify Brexit as an opportunity to establish an environmental, food and farming policy that is better aligned to the country's unique heritage, landscape and produce.

Given that predicting anything in politics is now a fool's errand, it is impossible to accurately predict which scenario will prevail, but here are six things to look out for in the months and years ahead:

1. **The Legislation:** As it stands, the government plans to trigger Article 50 and the two-year countdown to leaving the EU before the end of this month. This will be followed by the 'Great Repeal Bill' converting of existing EU-derived law (including an estimated 1,100 environmental laws) into domestic law from 2019.

The point of the Great Repeal Bill is that, rather than a regulatory 'cliff edge', it allows the UK to review EU laws 'at its leisure', and repeal or amend those it doesn't like. Environment Minister Andrea Leadsom has indicated that between two-thirds and three-quarters of environmental legislation will be brought into UK law, while roughly a quarter cannot either because it "requires technical attention or falls away". If this sounds vague, Leadsom was quick to point out that "no ulterior motive" lay behind government thinking and that the Tories' had committed in their manifesto to be the first government to leave the environment in a better state than which they found it in. The government has already started to informally sound out businesses and other stakeholders about which policies they would like to see removed or amended.

2. **The Targets:** 70% of Britain's environmental safeguards come from European targets set by Directives on waste, water, air etc – all of which will fall in the (likely) event of hard Brexit. Leadsom and others have made reassuring noises that Brexit will not result in a lowering of standards, but that these can be in fact be maintained via tailored, national monitoring and evaluation methods in place of existing red tape.

Throughout this, it's worth remembering that the UK will continue to operate according to a number of international treaties including shipments of waste (Basle), wildlife conservation (Bern) and air quality (Aarhus). All will continue to stand, albeit with nothing like the legal and financial compliance requirements of EU policies.

3. **The Enforcement:** Which brings us to the question of enforcement and protection. Currently, the Commission can refer a country that is in breach of EU environmental law to the European Court of Justice, and the Commission can fine countries that fail to meet their targets. The fear of financial sanctions has driven higher standards on a raft of measures in the past, including air quality and recycling targets.

As yet, there is no clarity about what will fill this gap – although an interesting indicator is the recent Supreme Court judicial review into UK air quality where the government's own policies designed to meet its own targets were found to be "woefully inadequate" and in need of "drastic improvement" – a judgement which required the government to come up with a new plan but no financial punishment if it doesn't.

4. **The Subsidies:** Currently €5.8 billion EU environment funding is earmarked for UK envi/agri schemes (2014 – 2020) via mechanisms that include CAP, structural funds and Life, - a commitment the Treasury has committed to maintaining until then. The picture after that is less clear. The Tories are traditionally averse to subsidies and have instead hinted at a wider a shakeup of the system, where public money is available for the purposes of public good rather than simply for ownership of land. Leadsom has gone on the record saying (somewhat enigmatically): "It would make so much more sense if those with the big fields do the sheep, and those with the hill farms do the butterflies".



5. The EU: Meanwhile the EU regulatory conveyor belt will continue to develop policies that affect the UK only without our being there to significantly influence them. A good example is the Circular Economy package (currently under review). The package consists of targets (recycling, municipal, packaging, food and marine waste), funding and policies with a clear 'single market' element including eco-design and recycle definitions – all of which will have varying degrees of impact on UK, consumers, local authorities and businesses - UK market leaders in both in waste streams and innovative design among them.
6. The Brand: The government has emphasised the opportunities post-Brexit for UK exporters, especially food and drink. But under what brand? There is already evidence of two distinct visions emerging. One 'green and pleasant land' approach which highlights the country's natural capital, native breeds, climate and agricultural heritage – and one that is more science-driven, focusing on cutting-edge innovation, intensification and technology, and with a more scientific and less emotive approach to environmental risk. This could lead to increasingly diverging views from those on the EU on policies like GMOs, neonicotinoids and Glyphosate.

On many of the points above, opportunities will arise for businesses to influence government thinking via two imminent Green Papers, one on food, fisheries and farming and one on the environment. But they are just the start of what promises to be a long and arduous process of untangling ourselves from the EU, one that will see considerable regulatory, funding and legal uncertainty.

Against this backdrop, the onus falls on environmental activists in business and outside to fill the leadership vacuum and maintain the momentum achieved under EU membership. They can do this by advocating a green policy agenda, but also by showcasing how embedded in the British corporate mind-set sustainable thinking really is, irrespective of political influence, via self-regulation, voluntary target-setting and the sharing of best-practise through CSR reporting.

Above all, they should remember that Brexit was ultimately about 'Taking Control' – if nothing else!