

From: Simon Jones, Corporate Director Growth, Environment and Transport

To: Environment and Transport Cabinet Committee – 7 March 2024

Decision No: N/A

Subject: **Planning for the EU Entry Exit System (EES) – Transport Impacts**

Classification: **Unrestricted**

**Past Pathway of Paper:** N/A

**Future Pathway of Paper:** N/A

**Electoral Division:** Countywide

**Summary:** This year will see the introduction of a new European Union Entry Exit System which will bring in new border controls for travellers and freight. Currently when there is congestion at the Short Straits, the Kent Resilience Forum can deploy the Traffic Access Protocol (TAP) and/or Brock. Preparing for the new border controls is essential as any increased pressure will have significant impact on Kent's road users.

**Recommendation(s):**

The Cabinet Committee is asked to make comment and note this report.

**1. Introduction**

1.1 The Entry Exit System (EES) is a new electronic system that will collect and process data on entry, exit and refusal of third-country nationals crossing the external borders of the Schengen Area. It is due to be implemented in Autumn 2024. EES can potentially significantly impact residents, tourists and businesses. The scope of this report is the impact on the local highway network.

**2. Financial Implications**

2.1 Operation Brock has a number of negative impacts on Kent businesses. A business survey on the impacts of Operation Brock undertaken in 2022 received 333 responses from Kent companies. 76% of firms reported that Operation Brock had a negative effect on their business, one in six indicated plans to relocate away from Kent and Medway as a result of operation Brock and 70% of businesses reported that their revenue and income had been impacted negatively.

2.2 Additionally businesses in the visitor economy sector report that potential customers avoid travelling during times when Operation Brock is in force leading reduced visitor numbers and lost revenue.

2.3 Congestion on the local network negatively impacts traffic flows across the county.

### **3. The Report**

3.1 The number of vehicles crossing the Short Straits is increasing and returning to pre-pandemic levels. Currently when there is disruption at either Eurotunnel or the Port of Dover, The Kent Resilience Forum (KRF) will deploy, initially the Traffic Access Protocol (TAP) and if necessary, Brock. The purpose of both is to hold freight away from the portals but they do cause significant impact on Kent as a whole.

3.2 TAP has been in place on the A20 since April 2015 and has the primary objective of holding freight, that is queuing to the Port of Dover, outside of the town. TAP has been used frequently, especially since additional border controls were implemented following the UK leaving the EU. The increasingly frequent usage of TAP, whilst ensuring the town is not severely impacted, has meant the residents of Aycliffe suffer when HGVs are stationary overnight, with noise from vehicle horns and refrigeration units. National Highways have installed signage for 'No horns between 23:00 hours and 07:00 hours.' In addition, options to move the front of the queue further back from the Aycliffe Roundabout, are being considered.

3.3 Operation Brock is an alternative to Operation Stack that was used on the M20 coast bound carriageway between junctions 8 and 9 from the late 1980s up to 2015. Following the significant impact on Kent with the prolonged use of Operation Stack during the summer of 2015, National Highways developed a plan for a large off-road lorry holding area. When that did not happen, National Highways developed an on-road alternative, named Brock.

3.4 Brock differs from stack in that there is a moveable concrete barrier that can be used to create a contraflow on the London bound M20 between junctions 9 and 8. Brock implementation is both expensive and resource heavy and requires up to two weeks' notice to secure resource availability. In emergency situations, Kent Police can implement Brock Zero which is similar to an element of Operation Stack and does not provide a contraflow layout.

3.5 Brock has the benefit of holding freight safely away from the portals where there are delays crossing the Short Straits, however its use means the capacity of the M20 is severely restricted and this in turn impacts the local road network and local communities. KCC is therefore working with the Department for Transport to look at long term options to remove Brock. This includes, but is not limited to, the use of on road technology and further off-road facilities.

3.6 The Port of Dover and Eurotunnel have juxtaposed borders, meaning that at these two portals all checks are carried out this side of the English Channel. Upon EES implementation, prior to a first crossing, all third-country nationals must register on the system, and this includes providing biometric data such as a facial photograph and fingerprint identification. Under current plans, this registration must happen at the portal and must be supervised by officers from Police aux Frontières (PaF). Whilst Eurotunnel is developing a location within their site to be able to carry out registration, the Port of Dover has very limited space in the buffer zone between the Eastern Docks roundabout and the

French customs booths. Increased times to process tourist traffic entering the port is anticipated to impact both general port fluidity and also queuing outbound freight, 85% of which is from the Schengen areas. Such delays present a risk of congestion across both the national and local highway networks.

- 3.7 Whilst remote registration is technologically possible it is not currently available. While the EU is developing a universal 'back-end' digital platform for managing this data, the customer 'front-end' has been left to the various local countries and commercial organisations. Intelligence suggests that this will not be available by the introduction of EES in October and it is considered that remote registration will not be available for some time.

## **4. Next Steps**

- 4.1 Planning for the implementation of the EES is ramping up during 2024. Working with Department for Transport, several task and finish groups have been set up to:

- *Understand border demand,*
- *Maximise traffic fluidity,*
- *Keep visitors safe,*
- *Protect communities and support businesses, and*
- *Educate and inform.*

These groups will be meeting regularly throughout 2024 and will be overseen by a Steering Group.

- 4.2 To ensure all government officials in direct contact with the European Commission and different branches of the French administration have a full understanding of Kent's issues, KCC officers have regular contact with the British embassy in Paris and UK mission to the European Union. The KCC Leader has also engaged the UK ambassador to France on the issue. The Cabinet Member for Economic Development has also arranged briefings for the Straits Committee from the Port of Dover and Getlink.

- 4.3 Sir William Cash MP is chairing a parliamentary European Scrutiny Committee to discuss EES and to understand the UK readiness. The Leader attended the Committee on 31<sup>st</sup> January, as a witness to outline the impacts on Kent and government interventions needed to mitigate negative impacts.

- 4.4 From a transport perspective, there is need for increased facilities for holding UK bound trade, so that the Strategic Road network in Kent does not become a permanent lorry park. The UK government must recognise that the Short Straits is the most important entry to Europe for the whole of the UK economy, and it is imperative that KCC is supported with managing the expected impact on the county.

## **5. Conclusions**

- 5.1 The new EES system is remains likely to be introduced in October 2024. The impacts on KCC highways could be significant without government support and investment to manage the new border controls and keep traffic moving across the network or risk frequent and severe queuing with wider

implications on Kent's residents, businesses and road users and the wider UK economy.

5.2 Against this backdrop it is important all stakeholders do all they can to:

- Improve border fluidity with strengthened infrastructure, resources, legislation, and intelligence.
- Ensure all residents, businesses and everyone travelling through and across the county are prepared, kept safe, and are fully informed.
- Protect all communities by strengthening trading standards and local port health authorities' ability to target and enforce legislation so only safe products cross our border
- Support local businesses and residents by enhancing the local highway network to keep Kent moving and working.
- Be clear with local and national stakeholders and work closely with EU and neighbouring countries to educate, inform, and encourage the sensible and sustainable introduction of the new controls at the right time.

## 6. Recommendation(s)

### Recommendation(s):

The Cabinet Committee is asked to make comment and note this report.

## 7. Background Documents

7.1 None.

## 8. Contact details

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