

European Scrutiny Committee

Oral evidence: EU Entry/Exit and the UK border, HC 169

Wednesday 1 May 2024

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Members present: Sir William Cash (Chair); Dame Andrea Jenkyns; Mr David Jones; Greg Smith; Sammy Wilson.

Also attended: Iain Stewart (Chair), on behalf of the Transport Committee.

Questions 138 - 193

Witnesses

I: Guy Opperman MP, Parliamentary Under-Secretary of State, Department for Transport; Tom Pursglove MP, Minister of State for Legal Migration and the Border, Home Office; Dan Hobbs, director general, migration and borders group, Home Office; and Iain Forbes, director, logistics and borders, Department for Transport.



Examination of witnesses

Witnesses: Guy Opperman, Tom Pursglove, Dan Hobbs and Iain Forbes.

Q138 Chair: Good afternoon, Ministers, and thank you very much for appearing to give evidence today. We have Minister Tom Pursglove and Minister Guy Opperman. We are fortunate that the Chairman of the Select Committee on Transport, Iain Stewart, has agreed to join us. He will be asking some questions as well, given the importance of the issue to both of our respective Committees. It is unusual for us to have two Ministers giving evidence together on the same issue, but it speaks to the seriousness of the EU's soon to be introduced entry/exit system and the potential disruption that it will cause at the UK border.

Ministers, I must be frank. Our inquiry has heard evidence from 11 organisations and received upwards of 20 submissions of written evidence that, taken together, paint a worrying picture of how the system will impact travellers and the movement of goods from the UK out to the EU Schengen area. More worrying still is another theme emerging from our inquiry: the slow and apparently inadequate preparations being undertaken by the Government. I very much hope that this afternoon you will prove that that is not the case, and I look forward to hearing what you have to say.

Ministers, the clock is ticking. Entry/exit is expected to go live by the end of this year, and its ramifications will be felt far and wide by many UK and other citizens, from those going away to France from Dover for the weekend to the EU haulier tasked with crossing into the UK to bring fresh fruits and vegetables. Among other issues, today we will cover your preparations for EES, the financial implications of the system for operators, the impact of the system on traffic in and around Kent, what it will mean for travellers, your engagement with the EU and France on its introduction, and the functioning of the UK post-Brexit border.

For those watching at home, will you respectively introduce yourselves? I will start with you, Minister Pursglove, then Minister Opperman and then your officials, Dan Hobbs and Iain Forbes. Minister Pursglove, can you describe your functions?

Tom Pursglove: I am Tom Pursglove MP. I am the Minister of State for Legal Migration and the Border at the Home Office. In terms of the Government position, my Department has ownership of the policy in relation to EES and ETIAS from a UK Government perspective.

Guy Opperman: I am Guy Opperman, a Minister for Transport. I was asked by Minister Pursglove, who I call a close personal friend, to come along and assist today, and I was delighted to do so. I represent the DFT in respect of matters affecting the Port of Dover in particular, and I have a Commons responsibility for ports, although it is the Lords Minister who takes direct responsibility for that. I am not in charge of airports, but as



always, and with all Government Ministers, I will attempt to answer everything possible today.

Q139 Chair: Good. Well, here we are. I will ask the first question. There was a great deal of uncertainty about the final form of the EU entry/exit system and when it will be introduced. Minister Pursglove, how do you expect travel operators in the UK to plan and prepare for the launch of EES when they do not know what it will look like or when it will start?

I will give you three examples. The EU regulation governing the entry/exit system was adopted in 2017. However, seven years later, we have heard that operators in the UK are still waiting to learn how it will work. What have the EU and France been doing for the last seven years? Secondly, why has the implementation of the system been delayed so many times? Lastly, are we looking at an abdication of the EU and France's responsibilities to the UK as a key partner and to European travel and trade? Those are the three questions, so if you would be kind enough to answer them first of all, it is over to you.

Tom Pursglove: Thank you, Chairman. One of the first points I really want to make is that, when it comes to these EU initiatives, there is an awful lot of alignment with domestic work that we are taking forward in order to deliver greater border security and enhance automation at the border to improve the passenger experience. That is particularly reflected in the work that we are doing through the ETA programme, which you will no doubt want to touch on, not least because there is a lot of domestic change to the way in which we are going to be dealing with travel. Not only will advanced notification allow us to have a better picture of the risk and threats, but it will allow Border Force staff to focus more of their energy and resource on higher-risk work, and it will improve the passenger experience, as I say.

Broadly speaking, we share the objective that the EU is seeking to take forward. We are very much working on a basis of this policy going live on 6 October, and it is important that we plan for that eventuality. We are expecting to hear definitively from the European Union that go-live arrangement in the summer, but that is not a significant length of time, as you acknowledge. In your opening remarks, you raised concerns about the UK Government's level of preparedness. I think that some of the evidence you have taken speaks for itself, but much of it will also be superseded by progress that has been made in recent weeks, which Minister Opperman will no doubt want to set out as well. We have to work on the basis that this will go live in October, but there are opportunities around precautionary measures. We are still trying to understand what that looks like, but that would be, for example, where there were delays of a certain length that would then allow practical application of the policy.

Of course, the international engagement piece of this is progressing as well at all levels of Government. We are really focusing on two areas. One of them is that go-live date and trying to ascertain as much clarity as we can as to whether that 6 October date is definitive, but we have to work on the basis that it is. Also, we are focusing on what could reasonably be



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done to make sure that there is a practical and pragmatic implementation of this policy against the backdrop that this is the EU's scheme. This is not the UK Government's scheme and we do not have ownership of this. This is something that the EU wants to do, but as I say, we are supportive of the broad principles that it is trying to take forward through the implementation of this. It should lead to enhanced border security, which is beneficial for not just the EU and its member states but the UK.

Guy Opperman: As Tom has rightly identified, this has been delayed on a repeat basis by the Commission, and that is something that we have just had to deal with. Clearly, we work with 6 October as a start date, but there are still a number of known unknowns that we await to hear about from the Commission on an ongoing basis. I am quite sure we will talk later about the availability of an app, for example. That is not going to be available at the present stage until August at best, and that is not something that is in the control of this Government. That is my first point.

Secondly, I have read the transcripts of the evidence sessions you have held previously, culminating on 31 January, when you had a number of the Kent officials—the leader of the county council, Roger Gough, and others—present in this forum. I would love for just Tom and me to take the credit for it, but there has been a wider cross-Government approach, which I can say some things about but I cannot talk about it in total detail. I can tell you that there has been a multi-Government series of meetings on six separate occasions, which are called Government sprints, and they are akin to a Cobra. The Cabinet Office chairs them, with the Home Office, DFT, and also all other Ministers in other organisations present. I have done 14 years of Government and nine years as a Minister, and I have never known such concerted work as this year. That commenced basically in January and has gone all the way through the spring.

I accept entirely any criticism that could be made from yesteryear that we have not all collectively come together as Government and done all the things we could. That is a legitimate point, but you would be hard pressed to do so when you do not know the details of what you are facing. I genuinely want to assure the Committee that since the beginning of this year, we have absolutely been all over this. I do not know about Tom, but I can certainly say that I have spent more time on this particular project than anything else in the six months that I have been a Minister for Transport. The FCDO is utterly involved in this. Leo Docherty was involved when he was the Minister for Europe, effectively, and various colleagues, whether in the Paris embassy or elsewhere, are fully involved and working very co-operatively, as we are co-operatively working with our European partners. I would genuinely feel that we can set out a huge amount of work that has been done.

I have one final point. You legitimately raised the concerns of individual ferry operators and the like, some of whom you heard in evidence, and two of whom I met with yesterday. Every month now, along with officials from the Home Office and DFT, I meet with all the ferry operators at Port of Dover, the Confederation of Passenger Transport, the UK Coach



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Operators Association, the Road Haulage Association, Logistics UK—I could go on. There is a monthly meeting on an ongoing basis to ensure that we are all aligned. It is a safe space for everyone to go, “I don’t quite understand this,” or, “Please explain this”, and we are working collectively together. Does that mean to say that there’s not stuff that has to be done between now and October 6 and beyond? Of course not, but there is a lot of work going on.

Q140 Chair: I am glad to hear that. I only say that the degree of bottleneck anticipated and the sheer frustration that came out of some of the evidence sessions with witnesses, which you have read, is not a matter of invention or even speculation. It is there in black and white in the transcripts you have read. Of course, it is not just about however important it may be for Kent itself—which we regard as very important indeed—but about the impact on tourism, the fact that people are coming to this country, and the fact that there are people all over the United Kingdom who travel down there in coaches, cars and so forth. There will be a real test when it comes into operation, and I would simply describe that test, if it does not work, as frustration on a scale that will be really very serious.

Tom Pursglove: We will no doubt come to the communications strategy and the ongoing work, not just as Government, but working with operators and our EU counterparts, to make sure we get that right. A few weeks ago, I visited Eurostar at St Pancras. The infrastructure is going in, and there has been a very impressive level of planning and thinking about passenger flows and making sure that people understand what they need to do, recognising that this will be a bit of a change for people, with this extra process that they need to go through.

I pay tribute to colleagues in DFT, but also to my team in the Home Office. We have been making real progress around the planning. When you consider the change in posture we have managed to secure in how coaches will be dealt with and the contingency planning that has been put in place around that, I think it shows that we have been on the ball, raising these issues and coming up with pragmatic solutions. Through engagement involving the industry and various operators, as well as the French authorities and the Commission, we have been able to get practical solutions, and we are continuing to look at what more we can do, for example, in relation to cars.

Guy Opperman: I would endorse that. I would not want this Committee, in any way, to want to criticise the EU Commission or the French organisations, not least because of what we have managed to secure by way of pragmatic talking and very positive engagement on a multilateral basis. As Tom rightly outlined, the position on the handling of coaches in the western docks is totally transformed. I look at the evidence you were given by Port of Dover, for example, many months ago, and I look at the present situation and the millions of pounds of investment going in, in the short term, medium term and very longer term. I look at the LUF bid of £45 million that has been granted, which will then go for the outbound control investment. We are working very much on a cross-border basis,

and it is in everybody's interests, not just those of the UK, that this works well.

Q141 Chair: Yes, and believe me, I am sure that, as a result of what is heard in this session, those people who gave evidence over the last year that has been rather negative to a great extent, will no doubt come forward with their own views about what they hear in this session. The proof in the pudding, if I may say so, will be not only as a result of what is looked at in this meeting, but when the whole system begins to roll out. As that happens, if there is a bottleneck, frustration and so on, then everyone will know that at least the right questions were asked and, hopefully, the right answers given. I am encouraged to some extent, against the background of the evidence that we have already received, by your fairly confident assertion that things have greatly speeded up and improved. Therefore, the proof of the pudding ought to be better than what we are anticipating.

Guy Opperman: Agreed.

Tom Pursglove: We would both accept, I think, that there is still distance to travel—there are still elements of this where we need to agree solutions—but I would most definitely commend the various operators for the grip and determination that they have shown in working with us to argue the case, and to get sensible, pragmatic arrangements and infrastructure put in place.

Q142 Chair: And it is in their commercial interests, as well as in the interests of the UK—

Tom Pursglove: It is in everybody's interests.

Guy Opperman: Totally. Mr Chairman, if it helps you, six of the witnesses who have given evidence to you, I met yesterday—the three ferry operators, the coach operators, the RHA, all the various transitory organisations. They are very committed to making this work. I do not want to put words into their mouth, but they see tremendous steps forward and—I echo Tom's point—we still have some way to go, though.

Chair: Okay. Next question, please, Andrea Jenkyns.

Q143 Dame Andrea Jenkyns: Minister Pursglove, there are no plans for UK ports to be able to trial the EES before the launch day. Why have you not made any arrangements with the European Commission and France for a UK trial period for EES?

Tom Pursglove: I am anticipating opportunities for the technology to be trialled and tested over the course of the coming weeks.

Dame Andrea Jenkyns: That is very good.

Guy Opperman: If I can help as well, clearly things like the app will make a tremendous difference, because people will be able to do preregistration and all the things that go with an app. You do not need to be a sceptic about computer projects to think that provision of the app in August, for going live in October, is optimistic. Clearly, however, the sooner we have



the app and the digital capability to test it, the sooner everybody—this applies across the EU—will be very keen to do exactly that.

Q144 Dame Andrea Jenkyns: You said “weeks”. Have you got a timescale?

Tom Pursglove: We had actually anticipated it happening within the course of recent days. It has not happened, but I am anticipating that some of that testing will move forward. For example, one of the things that I was shown when I visited St Pancras a few weeks ago was the technology that has been installed on some of the concourses in some of the side rooms, where people can go in and run that data into the system. We are beginning to see that physical infrastructure appearing. Understandably, they want to get on and test that to make sure that it all works as anticipated. The earlier we can do that, the better, of course.

Guy Opperman: Also, for example, the kiosks are being purchased, some of which are available—I think five are available for testing—but clearly it is a chicken-and-egg situation. But trust me, the ports, particularly the Port of Dover, are extremely keen—all the juxtaposed ports are very keen—to test this as soon as they possibly can.

Q145 Dame Andrea Jenkyns: Minister Opperman, you mentioned the delay till October, which was agreed. Clearly, where there is political will, there is a way. Have you asked the European Commission or France for a delay to give UK ports and carriers a chance to trial the new system?

Guy Opperman: I will answer that first and let Tom come in with any particular points. To explain the situation, this is something that was brought in many years ago. Originally, it was coming in in 2022 and then in 2023, so it has been delayed twice already.

Clearly, it is the intention of the Commission at the present stage to proceed. A lot of work is being done by FCDO ambassadors and representatives to get a detailed amount of information about how ready our European partners are. We have worked on the basis—we have really tried to press this—that the UK should be as ready as anybody, frankly, and that it is in our interest to be at the front of the queue, for want of a better expression. That is what we intend to do, and we are working across Government to do it.

It is an EU Commission decision, but there is no doubt that everybody—from the PM to the Foreign Secretary, to the Home Secretary, to my boss, the Secretary of State for Transport—have met with all of their opposite numbers and have discussed these matters on an ongoing basis.

Tom Pursglove: In terms of commencement, the position has been communicated that realistically we need to work on the basis of beginning this on 6 October. The EU would probably argue that the flexibility and pragmatism comes in around those precautionary measures. Where there is a risk of excessive delays within that first six months, the publicly stated position is that there will be precautionary measures available to invoke in those situations. At the moment, we do not have the detail as to what those precautionary measures look like.



To go directly to the heart of your question, they would see that as being pragmatic commencement of the policy. We must plan for a 6 October start date, but these are all conversations that we continue to have, in the way that Guy has described, at all levels of Government. I have met various EU member state ambassadors where this issue has come up, as well as various Ministers from foreign Governments. We will continue to sustain that engagement. Of course, we would much rather have a situation where, for example, the app was available, because the more of this that can be done upstream, the better it is. But we have to deal with the situation as it is, not as we would like it to be in every respect.

Guy Opperman: One key point is that it is important that the Committee understands the nature of the precautionary flexibility measures. That is a fancy title for what I would call a soft launch. If you were launching a business or a hotel, for example, you would have a soft launch before you went fully live. It is pretty much agreed that it will be a six-month period, which mostly coincides with the winter period—from 6 October up to and including Easter.

Most organisations would say that Easter, half-term and the summer holidays are the key problematic times for all of our travel destinations, for obvious reasons. We have a six-month period, at the very least—that could potentially be extended; we don't know—where the implementation of this is effectively by way of a soft launch. That does not mean to say that this is not going to come in; I think it will. But what that means in reality is that, if one got to a situation where there were a certain level of queues or delays, the provisions of the precautionary flexibility measures allow for much greater freedom of passage of vehicles, coaches, HGVs and cars. That takes care of so much of the queuing and so many of the complications.

The devil is always in the detail, and we do not know the final details. But in principle, there is a six-month period, and I go back to the Chair's original comments about our being very concerned about the evidence that was given. Clearly, when everybody gave evidence on that, they did not now that we were going to be able to secure from the Commission, effectively, a six-month soft launch. That is a massive step forward. It is a massive step forward by the Commission, and it is very much welcomed by the UK and other Governments around the European Union.

Q146 **Sammy Wilson:** Can I ask a follow-up question? Since any disruption is going to be experienced on the UK side, in towns and roads around the coast, who has the final say on whether the precautionary measures are introduced? Can we introduce them unilaterally, and say, "Look, this is causing problems," or do we have to have the permission of the French?

Tom Pursglove: I go back to my earlier point that we are awaiting the final detail of those precautionary measures and what they will look like. Bear in mind that we are trying to be supportive of the delivery and the successful roll-out of this, not least because it mirrors a lot of the work that we are trying to take forward to improve our own border security and automation opportunities. There will be practical, pragmatic and sensible



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conversations, but it is very difficult to give a definitive answer to your question without having all the parameters to hand that we are working within. But I hope and expect that that is something we would look at in a collaborative way. That is what we are doing through identifying solutions to the practical challenges on the ground that our constituents, and people across the country, are understandably worried about with delays and the risks of delays.

Guy Opperman: If I can help, this is a proposal from the EU. It has proposed the precautionary flexible measures to help to improve flow during busy periods. Its individual member states are considering how to deploy those and how they mitigate the problems during the six months.

If I can be totally honest, the practical reality is that there have been times in the past where some ports and airports have faced these problems already, with or without the things we are introducing. Local organisations such as Kent County Council, other local authorities and other organisations have had to deal with these issues and are prepared in broad principles. Clearly, this is a different set of circumstances. The broad principle of deployment of measures to assist your local community and tourist trade in continuing to function and how you manage traffic flows are already things that are in operation and that people are aware of.

Tom Pursglove: By the nature of this, there will be individual port operators based in the UK to which this is materially relevant. The operating staff and teams there will play into the dynamic and the conversations that will need to be had about when the circumstances are appropriate, simply based on the operational realities that they are dealing with around it.

Q147 **Dame Andrea Jenkyns:** You have covered some of this, but you told us in correspondence that the EU will be able to pause the requirements for biometric information to be recorded through the EES in the first six months of its operation. If delays are likely, is that enough, and can we intervene?

Tom Pursglove: Again, we need to receive the proposals on the definitive precautionary measures from the Commission and the member states and then information on how they intend to develop the guidance around operationalising them. But again, there is flexibility. That is the whole purpose of them committing to the principle of precautionary measures. Again, it is not in anybody's interests for this not to work—it is not in our interests, the European Union's interests, or any of the individual operators' interests. I would reasonably expect, as should the Committee, that there will be a practical and pragmatic application of this when it goes live.

Guy Opperman: We put this point to Port of Dover, which I meet—I met the chief executive, Doug Bannister, yesterday and the ferry operators and various organisations taking people through it. They take the view that with the dispensation in play—in other words, with the measures we have been talking about—their capacity of 420 cars and 21 coaches per hour



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would be sufficient. You cannot be certain of all matters, and this is a reasonably constrained piece of geography, but they reckon that with the proposed dispensations, they can accommodate this on an ongoing basis.

Q148 Chair: I have a question before we move on. Are the precautionary principles underpinned by some legal requirement? Is there some contractual or statutory basis? Is there an agreement that is capable of being enforced by some legal system? Mr Smith, maybe one of your officials could answer that.

Dan Hobbs: Do you mean in terms of the precautionary measures that are being discussed with the EU?

Chair: Yes.

Dan Hobbs: As the Minister said, at present we do not have the full details of what is being proposed, but we are having an open dialogue with the Commission—as the Commission is with other member states, and as we are with France—about what the first six months might look like. It is not clear yet whether the measures will be in their regulations, because we have not seen the full details of that yet.

Q149 Chair: There are comparable situations elsewhere in Europe where there are borders with other countries—with Switzerland, for example. I would have imagined that in that context, the European Commission would have some kind of evidence as to the extent to which it needs to have things tied down in black and white on a piece of paper so that the thing is done in an orderly manner.

Tom Pursglove: I think that is a perfectly reasonable reflection, which we can ponder as we take this forward. There will obviously be standard operating procedures around this that will need to be put in place and agreed, but as we have those conversations, we can most definitely give thought to the point that you raise. I cannot commit to what the outcome would be, but I recognise the observation.

Chair: Against that background, if there are severe disruptions or delays—for example, the train I was on stopped at Coventry and everyone was told to get off—there are circumstances in which questions of compensation can arise. No doubt that is another factor that you have to take into account, because where you have a joint system for the European Commission on the one hand, and our Government and you as Ministers operating this on the other, if things go wrong and there is substantial failure, questions of compensation could arise, as they do with cancellation of air flights and things like that. I put that on the table for you—I am not asking for an immediate answer, but it might be a good idea to bear that in mind.

Q150 Greg Smith: I want to talk about the app, which has come up a number of times. Guy, you said that you are expecting it in August. Can you clarify what bit of it we are expecting? Of course, it is split into two, with Frontex producing the back end and individual nation states taking the back end and making it specific to themselves or their needs. What bit of it are we



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expecting by August? Previous evidence has suggested that the back end should have been delivered in spring, but it wasn't, and nobody in the industry that is going to be affected by this is expecting the app to be ready to go and to be useful for the launch of EES in any way, shape or form.

Tom Pursglove: My clear understanding is that the app will not be available at the point at which we anticipate EES to go live in October. We expect it to follow on accordingly. It is an area that we are consistently raising both at official and ministerial level, because we feel very strongly that it ought to be put in place at the first possible juncture. As I said, there are huge advantages to being able to do as much processing upstream as possible.

You are right to say—this is my clear understanding of the app—that a back-end part of the technology will be made available to individual member states, which will then have their own individual app-based process that they will be responsible for, but it will be part of the totality of the delivery of EES as a scheme.

Q151 Greg Smith: The only one that we are particularly concerned about, given the nature of Dover and so on, is the French version of the app. Can you update the Committee, given the ministerial and official-level dialogue that has been going on, about the speed with which the French are progressing their version of the app? Do you believe them to be giving it the priority that it should have in order to attempt to have it ready for, if not launch day, very soon after? Or are there other things going on, and it doesn't seem to be making the progress you would expect an IT project to be making?

Tom Pursglove: It is difficult for me to comment authoritatively on the latter, because I am not familiar with all the intricacies of individual IT projects, and most definitely not one that is not an HMG Home Office project. However, as I say, this subject features very routinely and regularly in the engagement conversations that we have at all levels. We will continue to push on it.

My understanding is that there is a recognition on the EU side and on the side of individual member states that the app will really help to mitigate some of the challenges. Again, there is a determination to try to deliver that app-based solution as quickly as possible. It is definitely something that I, Minister Opperman and others in Government will continue to press very hard on, because the more upstream processing that can be done, the better.

Q152 Greg Smith: What is the assessment on whether it is a priority for the French Government to ensure that they are moving as fast as they can on the app? Other things are happening in France this year that they might be focused on. Is it a priority for the French Ministry of the Interior?

Tom Pursglove: There is, understandably and for good reason, a big focus on the Olympics, but my understanding is—I am happy for other colleagues to interject—that the French Government recognise our interest



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in the app and, effectively, their interest in getting the app delivered as quickly as possible. The operators of the various juxtaposed ports also want to see the app in place. I therefore think it is accurate and fair to say that they are placing an emphasis on trying to progress that as quickly as possible to be able to introduce it into the EES process at the earliest possible date.

Guy Opperman: Clearly, the Olympics is their primary concern in the very short term. I do not think it is fair to underestimate how important this is to the French people as well, because the French ports will be struggling without such matters just as much. I think they are very focused on addressing this. It is slightly chicken and egg, though. Until we know a bit more about what is proposed by the EU Commission, as I understand it, it is hard for them to design an app around that.

Q153 **Greg Smith:** Fair enough, but given everything we have said and all the evidence that we have taken as a Committee on what could happen, certainly at Dover on launch day, surely it is in all our interests—I could repeat the same arguments that you made about this being in the French interest as well—not to have disasters and tailbacks, Kent being turned into a car park and all the other things that could happen, and to delay the implementation until we know that there is an IT solution and an app that is out there and working, because that will prevent so much of the problem at port.

Tom Pursglove: I think that as a UK Government, you make quite a persuasive case. We, of course, would be very happy if the app were available on go-live day. We are working on the basis that it will not be available at the point at which this goes live, if that implementation date is in October, but we still have some way to go until we know definitively that that is the case. But I do not think you will hear this Government, or any Government in the United Kingdom, argue about the need for the app or the fact that we would welcome it being available at go-live. However, we just have to work on the basis that the app will not be available in the immediacy when this policy, we anticipate, goes live in October.

Q154 **Greg Smith:** What about going to the EU to say, “Let’s agree that it is in both our interests not to go live in October if the technology is not there to support it”?

Guy Opperman: With respect, there is a difference here, which is that the implementation of EES, and then the assistance in some respects of an app, is not going to be a panacea to fix all problems by way of having an app for all particular individuals and all particular vehicles. The likelihood is, after multiple delays, that it will proceed on 6 October. How that proceeds and what implementation looks like is very different, hence why we have already secured a six-month soft launch. The way that that looks—with the fine details to be finally confirmed—it does appear that we would be able to accommodate these changes in those circumstances.

Clearly, Tom is totally right. We would prefer it, and it is not just us making this point—trust me. There are plenty of other countries with



significant ports that are equally concerned and equally making the said points to the EU Commission.

Q155 Sammy Wilson: If they have delayed it for seven years already, and if it is clear that the app would help, have we pressed the EU sufficiently to delay it in order to make sure that the passage is as smooth as possible? It just bemuses me that there has been no rush for seven years, yet now we are suddenly in a rush, even though all the technology is not in place. Are we making a case to them, or are we simply accepting that, if the EU wants it, then we have to do it?

Tom Pursglove: It is clearly in everybody's interests to get the app-based solution available as quickly as possible, but these are matters that we continue to raise with it. As I said right at the outset, there are two strands to the engagement: first, around go-live in October, yes or no, and secondly, about if it is go-live in October, yes or no—we are still waiting for definitive clarification around that—what we can reasonably do to make sure this policy can be as successful as possible with the minimal disruption. However, I understand why after those periods of delay that you outlined, they want to get on and do this.

I, for one, am certainly not going to criticise the EU for wanting to have that enhanced border security opportunity that the policy is seeking to help deliver, because it is entirely in line with the ambitions that we have for our own domestic border when it comes to the introduction, for example, of the ETA scheme that we are currently rolling out, which certainly, when you take the package of EES and ETIAS together, is not dissimilar and which will have additional security benefits for us here in the United Kingdom. That means, for example, that many individuals who come to this country presently without a visa, who we know very little about, in future we will have considerably more information about those travellers. That means we can stop individuals who we would not want to come to the UK from travelling in the first place, improving that screening but also having that greater automation at the border, which is beneficial from a tourism perspective, as it is from my perspective as the Border Force Minister and being able to focus Border Force teams on that higher risk activity.

I can understand why, after the delay, they want to get on and proceed. That is not to say, however, that we are not focused on raising all these points during the engagements that we have.

Guy Opperman: It would be very wrong to presume by this Committee that everybody from the PM to the Foreign Secretary to the Home Secretary are not making these points very robustly. Also, it is not just our country making those points; others are making it to the EU Commission as well. Unquestionably, those points are being made. The flip side of that is that, first, if one were to introduce this, the winter period is clearly the easier time to do it as compared with Easter through summer. Secondly, if one introduces this with the degree of relaxations that is being talked about, I think there is a great advantage of doing six months during the



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winter where people can come to terms with what the changes are and the work can be done.

Q156 Mr Jones: I would like to ask a few questions about process. Which Department has lead responsibility for this issue?

Tom Pursglove: The Home Office.

Q157 Mr Jones: How long has that been the case?

Tom Pursglove: I came into this role in December. At what point did we assume?

Guy Opperman: About a year ago.

Q158 Mr Jones: About a year ago. As you have said, Mr Pursglove, this is an EU initiative. The EAS regulation was adopted in 2017, and it was always clear that the initiative would apply to the United Kingdom. It seems odd that the Home Office was not designated as lead Department until 12 months ago.

Tom Pursglove: I cannot give you a commentary as to why that was the case. As I say, I came into this role in December, but I think it is fair to say that the Government have been sighted on the issue. I think it is fair to say that a lot of the detail has come forward in more recent times. What I can speak to is that during my time in this role as Minister for Legal Migration and the Border, as Minister Opperman has said, in his respective ministerial portfolio, which is a busy one, this has been a very high priority. For me as the Legal Migration Minister, this has been a very high priority, and we are seeing very strong collaboration to make this work.

Q159 Mr Jones: No, I appreciate that. I am not in any sense pointing any fingers at the two gentlemen sitting in front of me at the moment. However, this is an issue that has been clearly on the cards for some seven years. It was inevitable that problems would arise. I find it odd that a lead Department was not designated until some 12 months ago.

Dan Hobbs: I was just going to draw a distinction between the cross-Government effort that we have now that we have a very clear view to implementation, and the fact that the Home Office, in relation to the border, was part of the negotiations when the UK was a member of the EU around this, and then through to monitoring that portfolio. Obviously we are the Department that broadly leads on people and goods crossing the border—that is well established.

In terms of the cross-Government effort, I am very much focused on this portfolio and its implementation. It is probably fairer to say that that started a year ago, once there was a clearer view on the delivery, but the Home Office is generally in the lead both operationally and on policy, notwithstanding that DfT, DEFRA and Cabinet Office have had various different interests in aspects of the border.

Q160 Mr Jones: Maybe, Mr Hobbs, you can help me with this one. I would just like to have a flavour of what the Government have been doing for the



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seven years since EES became an adopted policy.

Dan Hobbs: I think we will have to write to you on that. As I say, I picked up this portfolio specifically when I came into post in August. We would need to write to you to say exactly what we have been doing. But obviously we have had regular discussions with the French and with the Commission, both when we were part of the EU and since. But as I say, it is about the last period when there has been greater clarity on its implementation, where we have taken a more structured approach across Government on this particular part of the portfolio.

Q161 **Mr Jones:** I think it would be really helpful if you could let us have that note, please. We have had complaints, as you know, from various witnesses—we have heard from travel operators that the EES project has been poorly managed. They say they have had very little information from the EU or the French. What sort of efforts have been made over the last seven years to get more information of this sort from the Commission and from the French?

Tom Pursglove: Again, I can speak to the period during which I have been in post. There has been very intensive discussion, collaboration and practical thinking about the steps that we can take to really make sure that we have all the required infrastructure in place, and that we are having the right conversations about precautionary measures. It was good to be able to go along to see Eurostar; Minister Opperman has been engaging with various operators as well. There is consistent working at official level to understand the mechanics of their operations, and what this set of proposals will mean for them. We have been able to flex that work as and when we have had greater clarity around the parameters that we are working towards.

As I have set out in answer to several points, there are still elements of this that are not definitively clear to us yet, so that engagement will continue to be very important. When you look at the comms side, we are working to make sure there is a proper approach to that that involves the operators and us as the Government, but again, recognising that we are not the sponsors of this scheme—this is an EU scheme. However, we would argue that we have a duty to make sure that travellers understand the change that is coming, and what that means for them and what they need to do in practice. There have been really practical steps taken to work with operators to understand what we can do as part of the answer, in terms of getting the infrastructure right on their sites. We at the Home Office, for example, have been supporting the purchasing of some additional kiosks to make sure that there are adequate numbers of kiosks available to try to smooth some of the flows of passengers passing through. We are also looking at other elements of the required infrastructure that Minister Opperman will perhaps give some additional detail around.

In my experience of managing this from a ministerial perspective—my understanding is that this was originally a Cabinet Office lead, and it was then passed to the Home Office in January 2023—there has been very



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strong ministerial input and very comprehensive engagement and collaborative working to find solutions with operators, involving officials. Then, both at official level and ministerial level, there is the international engagement: working with our counterparts in the EU countries and the European Union to make sure we understand their ambitions and what the challenges are in their respective countries around implementation.

I think it is fair to say—certainly looking at that period during which this has been under the stewardship of the Home Office, and certainly during the period during which I have been the Minister—that we have moved this forward very considerably. However, a lot of that has been as a result of simply being in receipt of additional detail that we didn't have at earlier stages, which has meant that we can really kick on and bolster that planning.

Q162 Mr Jones: Again, I must stress that the criticism is not aimed at you in any way. It is clear from what you have just said that you are constantly waiting for more information from the European Union and having to press for that. But it is very difficult for operators to operate in conditions in which there is information still outstanding in respect of a scheme that is going to go live, it would appear, as soon as October of this year. It is completely unsatisfactory, from their point of view.

Tom Pursglove: I accept that. It is challenging. That is why we will continue to press, through our engagement, for the earliest possible visibility around dates, precautionary measures and any other associated requirements that we need to be working towards.

Q163 Mr Jones: Don't you think that it is really unacceptable that the European Union should effectively be keeping you in the dark, even at this late stage?

Guy Opperman: Perhaps I can help. Clearly, this was going to be introduced in 2022, and it did not proceed. Then it was going to be introduced in 2023, and it did not proceed. The decision has now been made that it will start in October 2024, and we are working on the basis that it will proceed on that date. There is time to go between then and that particular day.

Clearly, we are working. There is a great line from Obama: "Don't waste a good crisis." We are using the time, as Tom has rightly outlined, to improve tremendously what the Home Office is doing. But I look at the port of Dover: there is massive investment—tens of millions of pounds of investment—in the port of Dover to upgrade, improve and enhance the facilities, so that they will be light years ahead of what someone experiences even now or would have experienced a year or two ago. That is a good thing, in the sense that they are genuinely improving and expanding the port on a massive basis.

I think originally it was with the Cabinet Office, partly because so many different agencies of Government are involved. That is the usual thing—no criticism of Cabinet Office or previous Paymasters General who had control of this. That is the traditional thing when it is a multi-departmental



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matter: the Cabinet Office runs the show. Subsequently, a decision was made that the Home Office should lead on it—rightly so, in the grand scheme of things, because it ties into so much of what it is also doing.

Until you know that this is definitely going to happen, it is hard to prepare. We now know that it is likely to happen on 6 October. I genuinely think our Government have really got behind this. There are a couple of points on which, clearly, as we have discussed, we would like to be in a better position, but I believe that we as a country and our individual ports will be able to handle this particular situation on 6 October, given the relaxations that have already been agreed with the EU Commission, albeit that there will be difficulties. That is the key point. If it were a hard start straight away on 6 October, clearly that would make life much more complicated.

Q164 Mr Jones: Let me stress again that I am not criticising HMG, save to this extent: you have been kept in the dark by the European Commission. It really appears to me not to have provided you with sufficient information. You are still coming before this Committee and saying you are still awaiting information, which I find extraordinary, given the proximity of this start date. Who are you dealing with in the European Commission? What is your point of contact with them?

Tom Pursglove: The Prime Minister has raised this with Ursula von der Leyen.

Mr Jones: I mean on a more routine basis.

Tom Pursglove: I will perhaps let Mr Hobbs touch on the official-level engagement that goes on. As has been said, this is being raised consistently by the PM, the Foreign Secretary, the Home Secretary and the Secretary of State for Transport.

Q165 Mr Jones: What is their excuse for keeping you in the dark? What is their excuse? They have an initiative coming through in a few months' time that could potentially cause chaos for travellers, and they are still keeping you in the dark. Surely they must be giving you some excuse for behaving so inefficiently.

Tom Pursglove: I would assume that they will want to take decisions about their state of readiness.

Q166 Mr Jones: You say you "assume" that. What do they tell you?

Tom Pursglove: Again, I am not sure if there is any official-level additional commentary that can be made on this today. But as I have said, we are working on the basis of this commencing in October. I don't think we have any choice but to work on the basis of this commencing in October. That is the indicative position that we have been given—

Q167 Mr Jones: I do not criticise you at all.

Tom Pursglove: I know, but that is the indicative position. We must work towards that. The question that is still outstanding is regarding whether



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they definitively, definitively, definitively decide to rewrite this for that date.

Q168 Mr Jones: This is completely unacceptable. We are talking about something that is due—possibly—to take effect in a few months' time. And really one would have thought, even given the tensions that have arisen as a consequence of Brexit, they would have got over that by now and internalised that and decided that they really do have to treat this country with respect as an important partner.

Guy Opperman: But with respect, it is not a question of—clearly, we are very much, on a cross-departmental, multi-Minister basis, from the PM downwards, standing up for the UK. No one disputes that. But it is not a question between the UK and the EU being treated differently—it really is not.

Q169 Mr Jones: So, they are just generally inefficient?

Guy Opperman: No. It is the question of all countries within the EU facing issues in relation to the decision of the EU Commission. And it is the implementation of an EU Commission decision to implement this on 6 October.

With no disrespect, we will be able to deal with this and we have had the negotiations and the agreements, given the nature of the precautionary checks and the six-month period. Having an app, and anyone who has ever tried to experience Government apps over the last 14 years will know that they do not always work beautifully—nevertheless, having an app will potentially assist. And clearly if this goes like a Swiss watch—forgive the pun—with the benefit of computer processing and apps and things like that, then that would be of massive assistance. No one is disputing that.

That will take time and even if I had—if I can put it this way: if, as a Minister, I was the worthy participant in an app right now on 1 May, with the start date on 6 October, do I believe genuinely that that would be utterly transformational and it couldn't possibly fail and there wouldn't be the problems that we have all experienced with all kinds of things, ranging from stuff on your mobile phone to things that Government produces up and down the land? Clearly, it would help. But having that is not a panacea.

Q170 Mr Jones: The fact is that it would be far easier for everybody if this whole process were delayed until the app was ready and until proper procedural arrangements had been made. It is going to cause you gentlemen considerable difficulty, I would imagine, if we go ahead in October, particularly if you do not get the information that you require. And I just feel that it is probably a good idea to protest as loudly as you possibly can to the European Union as to the fact that they are keeping you in the dark, that the timescale is challenging and that there may well be problems for travellers, both from the continent and from the United Kingdom.



Guy Opperman: The point is well made and I am sure it has been noted, both here and elsewhere.

Q171 **Chair:** Listening to the dialogue and the discussion, what does occur to me, as it may to some of the people watching this exchange, is this: is it just possible that they don't really want to go fast enough because they don't really mind very much? I mean, you keep on telling us that it is in their interest as much as it is in ours, but actually I don't have any immediate knowledge of the comparative economic advantage of people coming across that part of the water to this country as compared to us travelling across to France, which is a massive—I mean, the travelling from the United Kingdom to France and Spain and the rest of the continent is pretty massive, with the number of people who travel. I know they go by plane a lot, but then also there is this travelling by sea, and by Eurostar and so forth.

It may be just that I am slightly cynical about attitudes that one gets from some of the European Commission over the years—I have been on this Committee since 1985, and sometimes I have been rather frustrated by their attitudes—but, listening to what you are saying and the very interesting questions being put by my colleagues, I am just troubled by this concern I have, which perhaps you could just dispel, which is that I am left wondering what it is that is holding the European Commission and the European Union up. Is it a lack of interest or competence, or is it just that they don't really care?

Tom Pursglove: Of course, from a UK standpoint this is most relevant because of the fact that we have the juxtaposed controls, which are hugely beneficial. It is right that we continue to have those juxtaposed controls in place, not least because they are critical in our defences against illegal migration into this country. We have made enormous strides forward in recent years in that regard, and the juxtaposed controls have undoubtedly played an important part in that. That is why the challenge manifests on this side of the channel when it comes to the operators we are talking about today. There are also the outbound travellers, for example, from the United Kingdom into the EU. There is a need for them to comply with these processes on the EU side. A huge swathe of ports in all the member states are affected by this. No doubt they need assurance to go live with this policy and be satisfied that it can be delivered safely, properly and with minimal disruption in each member state and each port environment. It is a significant operation.

I am also very conscious and seized of the fact that there are huge economic factors associated with outbound tourism from the United Kingdom into the European Union, particularly into France. When you consider that aspect, there is no advantage to the EU or to individual member states from being particularly obstructive, or from this not being a success. I have had this conversation numerous times with representatives of individual member states. The security benefits of delivering this change are profound, and that is front and centre in their determination to deliver on this policy. Bearing in mind that as the UK Government Minister I am introducing the ETA scheme, which has many



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similarities, it would be wrong of me to be critical of that principle, because all of us want to ensure the security of our borders and keep our respective populations safe.

I think we are doing a good job when it comes to the delivery of ETA. The fact that we have gone for a phased roll-out of that programme is also beneficial. We have had a test-and-learn approach to this. We are able to iterate it. We are delivering it successfully, and the early feedback has been good. A lot of lessons can be learned from how we have delivered this, and my team here in the UK are actually very willing to engage with their EU counterparts to talk about how we have gone about that work and about any respective lessons that they can learn.

First and foremost, I know and believe that the primary consideration driving this is the security advantages of delivering these schemes, in the same way that, domestically, the changes that I am introducing through ETA, eVisa and the like are about trying to improve the security of our borders and to keep people in our respective countries safe.

Chair: Mr Jones has another question coming up a bit later, but I wonder if he might like to ask question 12 at this stage.

Q172 **Mr Jones:** Yes, this is a useful point to ask it because you raised the issue of juxtaposed controls. A lot of the practical difficulty that we will have as a consequence of the introduction of EES is a consequence of the fact that we have juxtaposed controls. When we visited Dover, we saw how constrained the land is and how difficult it will be to create these arrangements. Similarly in St Pancras, they are trying to shoehorn several kiosks into a relatively small area at the moment. One of the issues that has been raised, as you probably know given that you have read the evidence, is that it would be less of a problem if registration could be performed away from the juxtaposed controls. You mentioned the app, but is it not possible, for example, to put these kiosks in some central location—say in London or in another of the major cities—so that people can pre-register? Why does it have to be delivered at the time and point of travel?

Guy Opperman: I will go first and then let Tom come in. He can deal with the sort of broad principles, but can I talk about Dover? It is a really key point, because of all the juxtaposed locations, it is the one that is so constrained by geography, as you rightly say.

There are two points to make. First, Dover has made great efforts and is investing already in three particular developments. Coaches will now be dealt with at the old boatyard in what is called the western docks. An area has been developed where coaches will be done separately, in a different location. Extra space is being created to deal with that. As you know, they have talked for many years about filling in what is called the Granville dock—they will have shown you that during your visit to Dover. That is being filled in, and that will be operational by next year. That, again, is a massive investment. On the eastern docks, which is where cars primarily



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are dealt with at the present stage, they are introducing all the kiosks and creating extra lanes. Taking the coaches out makes that easier.

What is called the outbound border control project will involve tens of millions of pounds of investment. The chief executive said, "this will be a transformational answer to many of the issues that have held Dover back over the years." My point is that that investment is being made both to address this problem, and to address problems that have existed for some time because the geography is so tight at the Port of Dover. Those are the three different types of investment that will enhance and improve the location.

In terms of pre-registration and the like, clearly, there is the potential improvement from having an app. On coaches, for example, we have made massive strides. After an extensive negotiation, we have totally changed the way coaches are dealt with. They now are being dealt with some considerable distance away from the eastern docks, which is where they were traditionally dealt with. The vehicle is sealed; it drives to the eastern docks to get on the ferry; the seal is checked, and it gets on the ferry. That is an example of it being dealt with—albeit in Dover, but outside the real pinch point, which is the eastern docks. Now, is there scope to do more of that sort of thing?

Q173 Mr Jones: Before you go on, could I get back to the point about the app? The app will not actually deliver all the information that is required. You still need to produce fingerprints, as I understand it. How will that be dealt with? The app is a partial solution. It produces part of the information that is required, but more information is required to complete the process.

Guy Opperman: Correct.

Mr Jones: How will that be dealt with?

Guy Opperman: The practical reality is that the fingerprint will still need to be provided.

Mr Jones: Yes.

Guy Opperman: That is not something that can be pre-registered by way of an app.

Mr Jones: So there will still be a delay while the fingerprints are actually being delivered.

Guy Opperman: Well, if it is the case—I am going to try and push back, because clearly we are introducing an extra burden. One accepts that. But that is one of the reasons why Dover are hiring so many extra people, creating extra capacity, taking larger kiosks, and taking certain key people out of the game so that they can focus on the pinch points. Are there going to be more burdens, because you are taking a fingerprint when one is not taken at the present stage? Yes. Are they doing things to address that, getting more people and trying to divert people away from the pinch points? Yes, they are.



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Q174 **Mr Jones:** Can I get back to the question that I raised? Why does this have to be done at the time and the point of travel?

Tom Pursglove: I have leafed through my pack to come up with the very specific wording that we are working from, and the conditions are essentially that this must be completed under the supervision of an EU border guard, and should take place in the vicinity of the point of embarkation. You will appreciate that that is quite a prescriptive position, which prevents us from adopting that sort of solution.

Q175 **Mr Jones:** Yes, but that is a policy that has been arrived at by the European Union.

Tom Pursglove: That is the regulation, but that is not to say that these are not conversations we can continue to have in the course of our engagement if people are willing to look at the practical application. The challenge is that it is baked into the regulation we are working to on the delivery of the scheme.

Q176 **Mr Jones:** My understanding of the evidence we have received is that the European Union refuses to allow registration away from the point of travel and the time of travel.

Tom Pursglove: At least for those cases that I described.

Q177 **Mr Jones:** It seems odd and perverse that they should do that when there would be less disruption if it could be done elsewhere.

Guy Opperman: The evidence you had, taking Dover as an example, required everything to take place at the eastern dock. They have moved on significantly from that. We now have an agreement that we can deal with coaches at the very least at the western dock, which completely transforms the physical landscape. It takes a lot of the physicality of other things out of the game. Discussions and negotiations are ongoing about whether cars could be dealt with in another way at another location. That is a step forward through negotiation from the Home Office and various other Departments, and it is a very positive inclination. They have worked on the basis that, bluntly, as it is all within the confines of the port of Dover, and we have found a solution to seal the vehicle after it has been checked, you can then proceed. I think it is quite a big stretch to say that I can register in London and then get on a ferry to leave and go to France and—

Q178 **Mr Jones:** As I understand it, production of these biometric details will last for several years—three years, I think—so subsequent journeys will not be subject to these problems. If it will last for a three-year period, why is it not possible to register in some other location? Again, I appreciate that it is not your policy, but as I understand it, the European Union are insisting that the delivery of biometric details is supervised by a Frontex or Border Force official. I cannot understand why you could not arrange for facilities to be provided remotely with European Frontex or Border Force officials supervising the delivery of the biometric details some time before the date of travel. Why does it all have to be done at the point of travel and the time of travel? I know it is not your policy, but what reason have



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you been given for this?

Tom Pursglove: My understanding is that these are the sorts of points that have been raised during previous engagements.

Q179 **Mr Jones:** And what is their response?

Tom Pursglove: They lead in by saying, "This is what the regulations says and as a consequence, this is what we need to deliver."

Q180 **Mr Jones:** But that's a bit like "computer says no", isn't it, if they are not prepared to reconsider the policy?

Tom Pursglove: This is important; I really don't want the Committee to think that we have not seen quite a level of practical, sensible deliberation that has led us to get into a better place when it comes to delivering on this policy.

As has been touched on in various answers, we have seen the response and the posture in relation to coaches shift and change in order to get a better answer in place to how coach travel is handled in Dover. There is a level of prescription associated with this by nature of the regulation and what it requires. I understand that conversations have been had previously, looking at a host of different possibilities. Inevitably, this is one that has been discounted as a consequence of the fact that the regulation says a certain thing and they feel very strongly about it. I can understand that if that is what the regulation says, that is what they want to see delivered. So this has been discounted, but that is not to say that these aren't the sort of things we can revisit during the engagement we have. I would not want the Committee to think that every request we make is met with indifference or unwillingness to engage with it and allow some movement, because that is demonstrably not the case.

Q181 **Mr Jones:** You said earlier that juxtaposed controls were hugely beneficial. You said that they were important from the point of view of security. They are also in the context of this development—EES—possibly causing more problems than they are solving. Are you reconsidering whether juxtaposed controls should continue to be maintained? To put it another way, if chaos is caused as a result of this policy, will you reconsider whether juxtaposed controls are still beneficial, to the extent that they outweigh the inconvenience that may be caused by EES?

Tom Pursglove: As you would expect, we keep all aspects of our migration and borders system under careful and close review, but there are certainly no intentions on the UK Government side to move away from the juxtaposed controls model. As I said, they have a very important role to play when it comes to preventing clandestine entry into the United Kingdom. They are also integral to managing traffic flows at the port of Dover in particular, but I am sure DFT colleagues can speak to this more eloquently than I can. Obviously, there is a roll-on, roll-off approach to that, and making sure that in the vicinity of Dover—

Q182 **Mr Jones:** Can I take it that you will, however, keep that policy under review, bearing in mind that chaos may well be caused by its



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implementation?

Tom Pursglove: Any Government must always keep all policies under review, and migration and borders is no different—

Q183 **Mr Jones:** And is that the case here?

Tom Pursglove: There is most definitely no expectation or anticipation at this point that we would not continue with the juxtaposed ports arrangement.

Mr Jones: All right. Thank you.

Q184 **Chair:** On the question of attitudes, British adult travellers who were asked by, I think, Co-op Insurance—have you come across this survey?

Guy Opperman: Not as yet, but I will be reading it later.

Chair: You will. Research by Co-op Insurance seems to show that more than 60% of adult British travellers do not know that EES will be introduced shortly. It also appears that when they are asked what they would think if they were to be subjected to EES, you get rather an alarming answer: they would not want to travel to Europe if they had to be subjected to this system.

I would be grateful if you can look at this later, because it is not fair to ask you this question on the basis of something that you haven't come across before. Could you look into this? The research also raises the question of the awareness campaign that you are going to have to introduce, the imponderables that we currently face, which you have openly and honestly accepted, and the attitude of the authorities in the European Union and so forth.

I will simply leave it at that ask you whether you would be good enough to look at this survey. I don't want in any way to make it look as if we are making a judgment about this at this stage. If it were to turn out that if people were aware that this is coming in, they would say, "Well, in that case we don't want to travel to Europe," it might reinforce the attitude of those in the European Union and the Commission. They might say, "Well, if that's the attitude that people genuinely have at this point in time, we want to get on with doing this as quickly as possible with all the appropriate apps and the rest of it." Otherwise, there may well be some drying up of travel to other parts of Europe through the channel routes. Can I put that to you as something you might think about and come back to us on when you have had a chance to look at it? Will you respond accordingly then, rather than now?

Guy Opperman: I am happy to go away, consider it and give you an answer in writing. The points I would make are twofold. The first is that there is considerable cross-Government thought about a communications campaign. There are various phases on that, and various decisions are being made on a cross-Departmental basis. We are engaging with the ferry operators and all the other operators on an ongoing basis.



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Clearly, any change of any nature is new to people, but as Tom rightly outlined, there are many very good reasons why greater border security should be lauded and supported, with the burdens that go with that. Clearly, this is a very complex and difficult world, and making our borders more secure is something that needs to be done.

Chair: Okay, I have put that on the table. The Chairman of the Transport Committee has been waiting very patiently to ask a question. No doubt, he is taking on board the exchanges and might wish to carry this forward in his own Committee, because it is obviously a matter of some importance to all of us. Iain, would you like to ask the next question?

Q185 Iain Stewart: Thank you, Chairman. I would like to turn to the costs of installing the infrastructure that you both referred to—the capital cost and the ongoing current cost for maintenance and additional staff costs and the like. Minister Pursglove, in correspondence you said that you are arranging financial support for the places that have juxtaposed controls. Can you update us on what funding is being provided on both the capital side and the ongoing resource costs?

Tom Pursglove: I will let Minister Opperman deal with this predominantly, on the basis that the DFT is responsible and has the lead relationships with the respective ports and their operators, and he has been very involved on a project-specific level. But as I said earlier, the Home Office has been providing additional funding to increase the availability of kiosks—to lift the level of kiosks that are available to individual operators. In the spirit of wanting to make this work and recognising that by coming together and playing our part as the UK Government in a co-ordinated approach with individual port operators, and trying to move forward in a spirit of pragmatism with our EU friends, we wanted to make some investment to try to support that. As I say, we have specifically stood behind that as the Home Office, but there are other projects that I think Minister Opperman would want to outline.

Guy Opperman: I will couch it in suitably politician terms by saying that I can't because not everything is finally confirmed. Some bits are an ongoing negotiation with individual organisations, but I can't give you the precise figures and precise items because this is still ongoing. However, there are certain bits that I can talk about, and I will try to give you as much detail as I can.

Port of Dover put in a levelling-up bid for £45 million, which was granted last year, as I understand it. It is going through a Competition and Markets Authority review, because that is Government funding to a juxtaposed port. That review is ongoing and we hope to have a result shortly. A large amount of that money will go to dealing with the substantial investment in the eastern docks at Port of Dover, which will constitute the majority of the outbound border control project.

Separate to that is the investment going into the Granville Dock project, which will be up and live and finished next year. I have learned far too much about how to fill in a dock, settle it, the time it takes to allocate the



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sand to settle and various other things. That takes longer than you or I would like, but it is being done and it will be done by next year.

Separate to that, money is being provided by DFT to the organisations of all three of the juxtaposed destinations. The Home Office is giving some money as well. That is in the millions of pounds, but I cannot say what the precise figures are today. There is no doubt whatsoever, though, that there is the levelling-up bid of £45 million, multiple millions by the Home Office and DFT, particularly the DFT, and massive investment, to be fair, by Eurotunnel. They will tell you—I think it is publicly available information—they have invested millions to make Eurotunnel ready for all of this, and Port of Dover is putting in its money in a very substantial way as well. So there is huge Government support, and we are assisting in every other way as well, but hard cash is definitely being provided.

I keep coming back to the point that—all of us in this room accept this—this is a change and will be a potential burden. How we handle it is clearly important and matters to everybody. Because of this, there is massive investment going into our ports. Some would argue, with the benefit of hindsight, that some of this investment should have been made five, 10 or 15 years ago. However, I look at Dover as it is now and Dover as it will be in two to three years' time, and it will be totally transformed. What you visited when you did your site visit and what you visit in the future will be totally different. It is addressing not just the problems that we are dealing with now, the complications and how we handle them, but a large number of other things that, frankly, as we all know, have been bedevilling Dover for some period of time.

Q186 Iain Stewart: You have both been at pains to emphasise this afternoon that this is an EU project. Are they making any contribution to the cost that Dover, St Pancras and the Eurotunnel are incurring? If they are not, should they be?

Tom Pursglove: Certainly when it comes to some of the kit that is relevant to this, they have been providing a minimum level of offer to operators.

Guy Opperman: Tom is right, in the sense that they have made some assistance and provision of information and are sharing a variety of things, but in terms of the degree to which the UK Government are giving contributions and support, it is not comparable, by any stretch. The only point that I would make is that individual EU countries—the Port of Holland, Antwerp, Cherbourg—are having to make investments as well. As I tried to stress earlier, it is not the situation that just the UK is investing in its ports to upgrade and improve them: other countries are doing that just as much, because we are all taking this very seriously, on both this point and a border security point.

Q187 Iain Stewart: Someone will have to pick up the bill for this. Will it be the traveller via higher fares?

Guy Opperman: If I deal with Port of Dover, they would say that first and foremost the investment in the port is no different from the investment



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that any railway, airport or port operator does to upgrade and improve their facility, whether that is Heathrow terminal 4, 5 or whatever, or an enhanced station capacity. That is something that they have invested to make their facility better. I cannot answer for the individual organisations as to whether they will put fares up and the like, but that is obviously a matter for them. However, I think it will also be determined by things such as throughput, volume, numbers of people, how this beds in and the degree to which custom continues on the present levels.

Q188 Iain Stewart: Thank you. I would like to turn to another potential cost: traffic disruption through Kent. We have heard evidence that Dover has had problems on occasions in the past, and that has quite a significant deterrent effect for other traffic visiting Kent towns and the spend that they will make. What assessments have you made of the potential disruption if this does not work and there are problems in the wider Kent traffic situation?

Guy Opperman: There were a number of different questions in that, if I can address them. Obviously, in the call and the meeting I had yesterday with the port, the ferry operators and Kent County Council, representatives of the Kent Resilience Forum were there. We have met them on a repeat basis. Officials meet them virtually weekly. Huge amounts of effort are being made to support Kent as a whole. Obviously, both Tom and I have engaged with local MPs on a repeat basis to ensure that their voices are heard and that the representatives of individual towns who are concerned about any disruption are heard.

There is some degree of support going to Kent County Council. I cannot be precise as to the sums; officials may know the exact sums and whether we are able to disclose those at this stage. However, we are very keen to see a lessening on a long-term basis of things such as Brock and TAP. It is clearly the case that that causes disruption. I am acutely aware that that affects communities further up the line, from Ashford to Faversham and beyond. That is something that we are very, very conscious of.

I will take the Port of Dover as an example. The massive investment that they are making to create massive extra capacity will make a huge difference in that respect. The fact that coaches now can be dealt with at the western docks is game changing, in my opinion. But clearly the devil will be in the detail. We are very keen to make sure this runs smoothly. The estimation by the Port of Dover is that with the soft launch and the precautionary measures, they will be able to handle the volumes that they are dealing with.

Q189 Iain Stewart: But if not, what is the contingency plan, on both a short-term and longer-term basis? You have TAP and Brock to deal with things at the moment, but what if it becomes clear, when this system starts, that you are having regular long delays in traffic approaching the port? Are you contingency planning for that?

Guy Opperman: The answer is yes, but may I just go back to “regular long delays”? We need to understand this. Obviously, the final precision is



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not there, but what is proposed under the precautionary flexibility measures is that there will be effectively a massive reduction in the checks that are presently being proposed, which obviously will alleviate the burden of the queuing and any particular problems. That is the most important thing. In other words, if you have a pressure valve that you can apply that will stop this particular situation escalating, that is the game changer. Clearly, the first six months are also the quieter months that we deal with at the Port of Dover. There are certain key times—the February half-term, for example, is a tricky time. Obviously, we wish to make sure that we utilise the soft launch; we prepare in the best possible way, as all Government Departments do. And then we are in a position where we have this tried and tested and know where we are.

There are a variety of other improvements. National Highways are improving certain bits of the highway. Work is being done with a variety of different agencies on an ongoing basis. Clearly, contingency plans are in place. I think, for example, it was Easter last year when there were particular complications and very considerable delays. That has not happened much since. We are very keen that it doesn't happen again.

Q190 Chair: I have a complex question. We are extremely grateful to you for coming and for helping to elucidate many of these questions. There are other issues that we will want to raise with you in correspondence, and it is even possible that we will ask you to come back again because there are some uncertainties that may need to be resolved in the next few weeks. That is if we can manage to get you back again for another session, but I am not committing you to that right now.

There is one question that we want to get out into the open right now regarding the entry and exit system going live and freight being caught in traffic around Kent. Are you worried that perishable goods are going to get stuck at the UK border and, consequently, is there going to be a shortage of food on UK supermarket shelves?

Guy Opperman: Do you want to take that, Tom?

Tom Pursglove: I think I would actually refer to what you have just said. You have talked, in response to Mr Stewart, about where you think things will be in the autumn, and I think that that would guard against those risks.

Guy Opperman: There are a couple of things. TAP and Brock already exist. There are already those mechanisms in place for dealing with potential difficulties and disasters. A good example is when there is a tremendous traffic accident. If there is a serious traffic accident and you cannot get through the motorway system, or if there is a strike, as has happened in the past—these things do occur—we believe, by and large, that the Port of Dover will be able to accommodate this, given what we have managed to secure by way of the ameliorations at the western docks and the precautionary flexible measures.

Q191 Chair: Okay. The very last question is, basically, whether we are going to end up with a further issue: having wilting lettuces lying around in dock



areas, which, simply because they are perishable, are going to be put at risk. Is that a serious problem? Are you taking those practical, down-to-earth issues into account?

Guy Opperman: Let's start with the suppliers themselves. The suppliers themselves are keen that their produce gets to our supermarkets and to our shops, and they start with their best approach. Clearly, the ferry operators and the ports are keen to facilitate the movement of those goods. In terms of the capability of transferring produce through the winter months, we believe that, with the precautionary flexibility measures we have managed to agree, it will be capable of handling those particular problems.

It applies already: if there is a road traffic accident and the whole system grinds to a halt or, for example, if there is terrible weather and the ferries cannot sail, then clearly I, as a supplier of fresh produce, am going to struggle, because I am stuck at Calais and I cannot get on to a ferry. They already have these issues, and they already have a capability of dealing with them. Bear in mind that most of these particular vehicles, where they are carrying such produce, have refrigerated lorries.

Chair: What this really boils down to is that there are a significant number of complications of a practical nature. You have come here and given us a number of answers to some of the things that were really worrying the Committee very much. You have given us some reassurances, but with a caveat that there is yet more work to be done, and that you still have to resolve certain negotiating questions with the European Union and the European Commission.

Because we have a limited amount of time, I think the best thing to do is for you to come back to us, possibly later, and in the meantime, we will drop you a line to ask you certain questions that we believe we will be able to resolve by writing, and then you can respond to them. I am going to bring the session to an end now.

Q192 **Sammy Wilson:** Before you do, there is one question that I think some people listening to this today will be concerned about. We have concentrated on what happens within the United Kingdom, but people arrive en masse at airports throughout the European Union for their holidays. Have you discussed with the EU how they are going to deal with the number of people who arrive at Malaga, Ibiza and a number of other places where aeroplanes all come in at once and there are huge queues? You have described the process by which they are going to have to register. Are you sure that we are not going to have huge queues for holidaymakers who are entering Europe under this new system for the first time?

Chair: Very good point.

Tom Pursglove: This is something that we are very mindful of. There are conversations ongoing about what we can do to try to align our communication strategy around this as much as possible. I would reiterate the point that this is an EU scheme, and obviously they have responsibility



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within their jurisdiction for the various ports that those travellers would be going into. They will need to deliver this practically on the ground and make arrangements that will accommodate those travellers, but we want to play our part, particularly in ensuring that everybody understands clearly what it is they will be required to do and what this change means not just for those travelling from the juxtaposed control ports but for those arriving into the European Union.

One of the things that I have been at real pains with officials to emphasise has been that, first, I want to have that alignment of communications with the communications that the EU is making around tourists. Secondly, I want to ensure that we give as early a visibility to travellers as is possible, working with operators to make sure that there are consistent, good-quality messages being conveyed when people are making bookings, having tickets coming through and getting reminders. That way, everybody is clear sighted about what the change means for them.

Obviously, it is a matter for the individual ports within those EU countries to have the arrangements in place to ensure that there aren't unnecessary and needless queues. But again, in the way we have been talking about precautionary measures and their delivery at the juxtaposed ports here in the UK, that would also be applicable in those ports in the event that, at an EU destination in an EU state, if there were queues, certainly within those first six months where there is an express agreement to those mitigations being available, they would invoke that to ensure there is no disruption.

Q193 Chair: I think I have to bring it to an end now. I see that Mr Opperman would like to make one last comment.

Guy Opperman: Very briefly on the airports point that Mr Wilson raised, the individual airports are addressing this themselves and they have to prepare for this. Also, they are looking for the ameliorations and the precautionary measures as others are doing, because they do not want to have people backed up in the way that you outlined. Obviously, if you require us to return, we will return, probably slightly greyer and slightly—

Chair: That is all part of the system.

Guy Opperman: Most definitely, it is.

Chair: Thank you very much. It has been very helpful. You have added some new light, but there is more light to come. I shall draw the meeting to a close at that point.