

European Scrutiny Committee

House of Commons London SW1A 0AA

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From: Sir William Cash MP

19 November 2020

Rachel Maclean MP
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9974/20 and 9976/20: The future operation of the Channel Tunnel Fixed Link

The Committee have asked me to thank you for your letter of 15 October 2020 on the two above listed documents.

We note that the proposed Decision and Regulation were adopted on 14 October 2020 and that, as such, France is now authorised to begin formal negotiations with the UK on the operation of the Channel Tunnel after the end of the Transition Period.

From our exchanges, we are clear that the terms on which France has been authorised to negotiate and ratify an agreement with the UK on the future operation of the Channel Tunnel are not acceptable to the Government (covering future dynamic alignment in the UK with EU laws, and oversight of the application and interpretation of EU law in the UK by the Court of Justice of the European Union).

This having been said, we remain unclear on the Government's alternative plans for how the Channel Tunnel could operate after the end of the Transition Period. We are concerned, in particular, about the future governance of the Tunnel, its safety arrangements, and the implications of any changes for affected stakeholders.

We therefore request your appearance before the Committee to answer questions on these and other related issues. In light of the start of formal negotiations with France and the end of the Transition Period on 31 December 2020, arrangements should be made for your appearance no later than w/b 14

December. My secretariat will be in contact with your Officials shortly to aid in planning for this.

I am copying this letter to Lord Kinnoull and Christopher Johnson in the Lords; Huw Merriman MP, Chairman of the Transport Committee; Hilary Benn MP, Chairman of the Committee on the Future Relationship with the EU; Angus Brendan MacNeil MP, Chairman of the International Trade Committee; Les Saunders at the Cabinet Office; and to Margaret Browne, Departmental Scrutiny Co-ordinator.

CHAIR