

Awaiting the storm (or explosion!)

It cannot be much longer before the penny finally drops regarding the terms being proposed by the EU for the UK's 21-month "transitional arrangement."

Businessmen like John Mills and John Longworth, both of whom met Michel Barnier in Brussels last week, are distinctly unimpressed with what we are likely to be offered, but it is surprising that there haven't already been even louder cries of outrage from the Conservative back benches. Last November, at a meeting organised by Conservative MEP David Campbell Bannerman, Rt Hon David Jones MP was quite unequivocal that any further involvement of the European Court of Justice (ECJ) in the legal affairs of the UK after Brexit would be an "absolute red line" for himself and a number of his colleagues, who would rather leave with no deal.

As more details emerge, it is becoming clear that it's not just a role for the ECJ in our affairs which the EU wishes to incorporate into the transitional deal. According to an article in The Times, the EU will insist on the free movement of people throughout the period and the inclusion of people moving to the UK before 31st December 2020 in any post-Brexit agreement on citizens' rights.. This again is a slap in the face for leave voters. It's not just that many of us voted leave because we want to see a drastic cut in immigration; more to the point, we voted leave because we wanted our institutions to be sovereign – and this means that the EU must have no say in determining who can or cannot come into the UK or how long they can stay.

This tougher stance is contained in a new document dated 15th January. It is not the final word on the EU's position, which will not be published until the end of the month, but it

certainly gives us an idea of the general direction of travel. The guidelines produced last year by the European Parliament, although essentially a consultative document, were bad enough. We would be, in effect, a colony of the EU, unable to sign any trade agreements with other countries and still subject to the Common Fisheries and Common Agricultural policies. This document was bad enough, but according to Bloomberg, the latest document also states that we would need to seek the EU's permission even to start negotiations on trade deals with third parties. We would be unable to strike out on our own path. The net "divorce bill" may also be increased.

Perhaps ironically, the Council President Donald Tusk told the European Parliament that "our hearts are still open" that the UK might "have a change of heart" and stay within the EU. This suggests a warmth towards us which just is not reflected in the negotiating guidelines which seem designed to squeeze and humiliate us as much as possible. Chancellor Philip Hammond claimed recently that the EU is "paranoid" that other countries will follow us out of the door. It has also been claimed that the EU is pressurising Switzerland not to make a bilateral deal with the UK. The EU's tough stance may well all be technically justifiable from the treaties, but it clearly wishes to interpret them in the toughest way possible as far as Brexit is concerned. No one with any sense of self-respect should give in to this bullying.

The transitional deal must therefore be kicked into the long grass as soon as possible, especially as there is no guarantee that a new trade deal will be ready to replace it after 21 months. The EU's ambassadors have signalled a willingness for the transitional period to be extended, but this would only prolong an unsatisfactory situation which is not Brexit in any real sense of the term.

A further complication is looming on the horizon. The Norwegians have indicated that they would seek to renegotiate their trading arrangements with the EU if we were given

favourable access to the EU's single market while not being a member of it. This, of course, refers to any long-term deal and therefore is not an issue for Mrs May at the moment as the EU has insisted that negotiations on a long-term trading arrangement cannot start yet. Let's face it, she has enough on her plate as her team prepares to negotiate the transitional arrangements. We must hope that there is already a storm brewing up on the Conservative back benches which will rapidly knock these unacceptable proposals on the head and force the government to take a different approach.

If not, the storm is likely to strike with far greater ferocity in four years' time. A botched Brexit where we leave in name only is not what we voted for and not what Mrs May promised us when she became leader. Brexit must mean Brexit or our Prime Minister will not only find herself consigned to a "rogues gallery", excoriated by posterity alongside the likes of Lord North, Neville Chamberlain, Heath, Blair and Brown, but she may well take her party down with her.