



Department
for Environment
Food & Rural Affairs

Seacole Building T 03459 335577
Marsham Street defra.helpline@defra.gov.uk
London SW1P 4DF www.gov.uk/defra

12/12/2022

Sir Robert Goodwill MP
Chair, Environment, Food and Rural Affairs Committee
By email only

From Tamara Finkelstein CB
Permanent Secretary

Dear Sir Robert,

Re: Post Implementation Reviews

On 30th March 2022 I wrote to you in response to a committee question asking what proportion of legislative Post Implementation Reviews (PIRs) Defra undertakes on time and committed to update you again by the end of this year.

As I stated in my letter in March, both myself and my senior leadership team recognises the importance of carrying out PIRs and this remains unchanged. I am committed to holding the department to account and improve our approach to PIRs. Although Defra faces significant resource constraints and a need to deliver on vital priorities, we intend to reduce the number of outstanding PIRs. It is important, however, that we remain realistic about timescales for completion of this work and balance it against delivery of other key priorities

Since I last wrote we have taken numerous steps to improve PIR completion and address the backlog at Defra:

- Developed an 'Action Plan' for each outstanding PIR, laying out completion timelines and mitigations to barriers for delivery.
- Developed a new tracking tool to monitor the progress of each PIR.
- Developed new capability tools to better the knowledge and expertise on PIRs across the department.
- Undertaken a department wide prioritisation exercise to identify when we plan to complete each overdue PIR and consider any that may not be required.
- The prioritisation approach proposed to address the backlog was reviewed and agreed by my Director Generals at Defra's Executive Committee.

Following a comprehensive review, I am able to provide you with the very latest updated numbers which supersedes those provided in March. Defra currently has 63 overdue PIRs, with 47 in the process of being delivered 5 of which are near completion and in final clearance stages.

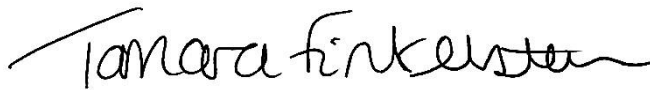
Defra has a plan to have 7 PIRs completed by June 2023, a further 16 by the end of

2023 and the remaining 24 by the end of 2024. I believe this spreads the works evenly across Defra's policy directorates, balances this work with other demands and most importantly ensures that PIRs of the highest priority (reviewing regulations with the most impact or demand for evaluation), are given the attention they deserve.

In addition to the 47 PIRs being taken forward, my department has identified 16 PIRs that are being merged with other reviews or being de-prioritised (these are listed in the attached annex). The PIRs being deprioritised have been revoked and are no longer impacting businesses or the public, or the powers have not been used.

Using this staggered plan, alongside the increased awareness across the department, improved capability tools, new tracking tool and accountability of senior leaders, I am confident that we can tackle the backlog and prevent future PIRs from becoming overdue.

Yours sincerely,

A handwritten signature in black ink, reading "Tamara Finkelstein". The signature is fluid and cursive, with a long horizontal stroke at the end.

TAMARA FINKELSTEIN CB Permanent Secretary

Annex 1. PIRs now no longer required

Regulation	Reason for non-completion
The Cattle Identification (Amendment) Regulations 2007	Amended Regulation subject to PIR
The Cattle Identification (Amendment) Regulations 2008	Amended Regulation subject to PIR
The Cattle Identification (Amendment) Regulations 2013	Amended Regulation subject to PIR
The Cattle Identification (Amendment) Regulations 2015	Amended Regulation subject to PIR
The Sheep and Goats (Records, Identification and Movement) (England) (Amendment) Order 2009	Amended Regulation subject to PIR
The Sheep and Goats (Records, Identification and Movement) (England) (Amendment) Order 2014	Amended Regulation subject to PIR
The Environmental Protection (Microbeads) (England) Regulations 2017	Duplicate (error)
The Common Agricultural Policy (Competent Authority and Coordinating Body) Regulations 2014	SI has been revoked
The Disease Control (England) Order 2003	Amended Regulation subject to PIR
The Water Supply (Water Quality) Regulations 2016	Amended Regulation subject to PIR
The Private Water Supplies (England) Regulations 2016	Amended Regulation subject to PIR
The Designation of Features (Notices) (England) Regulations 2012	Amended Regulation subject to PIR
The Common Agricultural Policy Basic Payment and Support Schemes (England) Regulations 2014	Being repealed at the end of the 2023
The Marine Licensing (Delegation of Functions) (Amendment) Order 2015	The power has never been used
The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2016	EPR reform will revoke these Regulations in 2023
The Diseases of Swine Regulations 2014	New amendment for the regulation in progress and next PIR will be due in 2024. A PIR now would be out of date and the 2024 PIR will reflect on both.

ANNEX 2: Information on overdue PIRs currently in progress

We are continually monitoring progress against agreed target completion dates, and hold the categorisation of each PIR under review to ensure we can flex to respond to emerging priorities and urgencies as needed.

Table 1. 10 PIRs overdue by less than 1 year

Regulation	Date PIR Due	Target completion
The Forest Law Enforcement, Governance and Trade Regulations 2012	Less than 1 year	End of 2024
The Plant Health (Sweet Chestnut Blight) (England) Order 2017	Less than 1 year	End of 2024
The Marine Works (Environmental Impact Assessment) (Amendment) Regulations 2017	Less than 1 year	End of 2024
The INSPIRE Regulations 2009	Less than 1 year	End of 2024
The Lobsters and Crawfish (Prohibition of Fishing and Landing) (Amendment) (England) Order 2017	Less than 1 year	End of 2024
The Water Infrastructure Adoption (Prescribed Water Fittings Requirements) (England) Regulations 2017	Less than 1 year	End of 2024
The Pigs (Records, Identification and Movement) Order 2011	Less than 1 year	End of 2024
The Water Supply and Sewerage Services (Customer Service Standards) (Amendment) Regulations 2017 *	Less than 1 year	End of 2024
The Environmental Impact Assessment (Forestry) (England and Wales) (Amendment) Regulations 2017	Less than 1 year	End of 2023
The Caseins and Caseinates (England) Regulations 2017	Less than 1 year	End of 2023

*Please note, we have recently been made aware of this PIR from the policy team. It has been added to the list since the original analysis was completed, and the letter written.

Table 1. 18 PIRs overdue 1-3 years

Regulation	Date PIR due	Target completion
The Salmon and Migratory Trout (Prohibition of Fishing and Landing) (England) Order 2015	1-3 years	End of 2024
The Ship Recycling Facilities Regulations 2015	1-3 years	End of 2024
The Single Common Market Organisation (Emergency Aid for Milk Producers) Regulations 2015	1-3 years	End of 2024

The Specified Diseases (Notification) (Amendment) (England) Order 2015	1-3 years	End of 2024
The Water Mergers (Modification of Enactments) Regulations 2004	1-3 years	End of 2024
The Farriers' Qualifications (European Recognition) Regulations 2015	1-3 years	End of 2024
The Water Supply and Sewerage Licences (Cross-Border Applications) Regulations 2016	1-3 years	End of 2024
The Disease Control (England) (Amendment) Order 2016	1-3 years	End of 2024
The Water Supply (Water Quality) (Amendment) Regulations 2018	1-3 years	End of 2024
The Private Water Supplies (England) (Amendment) Regulations 2018	1-3 years	End of 2024
The Water Quality and Supply (Fees) Order 2016	1-3 years	End of 2024
The Grants for Fishing and Aquaculture Industries Regulations 2015	1-3 years	End of 2023
The Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014	1-3 years	End of 2023
The Hazardous Waste (England and Wales) Regulations 2005	1-3 years	End of 2023
The Water and Sewerage Undertakers (Exit from Non-household Retail Market) Regulations 2016	1-3 years	End of 2023

Table 3. 20 PIRs overdue more than 3 years

Regulation	Date PIR due	Target completion
The Wine Regulations 2011	More than 3 years	End of 2024
The Batteries and Accumulators (Placing on the Market) (Amendment) Regulations 2012	More than 3 years	End of 2024
The Bluetongue Regulations 2008	More than 3 years	End of 2024
The Non-Commercial Movement of Pet Animals Order 2011	More than 3 years	End of 2024
The Animal By-Products (Enforcement) (England) Regulations 2011	More than 3 years	End of 2024
The Sheep and Goats (Records, Identification and Movement) (England) (Amendment) Order 2016	More than 3 years	End of 2024
The Plant Protection Products Regulations 2011	More than 3 years	End of 2023

The Marketing of Fresh Horticultural Produce Regulations 2009	More than 3 years	End of 2023
The Plant Protection Products (Sustainable Use) Regulations 2012	More than 3 years	End of 2023
The Designation of Features (Appeals) (England) Regulations 2012	More than 3 years	End of 2023
The Quality Standards for Green Bananas (England and Wales) Regulations 2012	More than 3 years	End of 2023
The Cattle Identification (Amendment) Regulations 2017	More than 3 years	End of 2023
The Detergents (Amendment) Regulations 2013	More than 3 years	End of 2023
The Fish Labelling Regulations 2013	More than 3 years	End of 2023
The Transfrontier Shipment of Waste (Amendment) Regulations 2014	More than 3 years	End of 2023
The Sulphur Content of Liquid Fuels (England and Wales) (Amendment) Regulations 2014	More than 3 years	End of 2023
The Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012	More than 3 years	Mid 2023
The African Horse Sickness (England) Regulations 2012	More than 3 years	Mid 2023
The Animals and Animal Products (Examination for Residues and Maximum Residue Limits)(England and Scotland) Regulations 2015	More than 3 years	Mid 2023
The Veterinary Medicines Regulations 2013	More than 3 years	Mid 2023