



29/10/2024

Rt Hon Mr Alistair Carmichael MP  
Chair, Environment, Food and Rural Affairs (EFRA) Committee  
*By email only*

**From Tamara Finkelstein CB**  
Permanent Secretary

Dear Alistair,

### **Defra Post Implementation Reviews (PIRs) – October update**

In my letter of 8<sup>th</sup> February 2024 issued to the previous EFRA Committee, I committed to providing a further update on how Defra has been progressing with clearing our PIR backlog and delivering on future PIR commitments.

Since February 2024, Defra has published 17 PIRs. This includes 15 PIRs from the backlog of overdue PIRs. We have also removed 1 overdue PIR from our programme following an amendment to the regulations. Overall, a total of 19 PIRs have been published so far in 2024. By the end of the year, we expect this figure to exceed the 25 PIRs published in 2023.

Attached to this letter is a list of the PIRs published in 2023 and 2024 (**Annex A**).

Of the 59 overdue PIRs reported to the Committee in February 2024, 43 remain. This includes 9 PIRs that were targeted for publication by the end of 2023. 2 of these PIRs are going through review with the Regulatory Policy Committee (RPC) whilst 2 other PIRs have been drafted and are progressing through final quality assurance and clearance stages before publication. Work is underway on the other 5 PIRs and they will be completed as soon as possible.

The remaining 34 PIRs previously reported as part of the backlog in February are working to an end-2024 deadline. The current list of remaining overdue PIRs is attached (**Annex B**).

In the period since the last update, 2 PIRs missed their statutory deadline. The Wildlife and Countryside Act 1981 (Variation of Schedule 9) (England) (No. 2) Order 2021/548 PIR was due on the 31<sup>st</sup> May 2024 but was published on 30<sup>th</sup> September 2024. The Genetically Modified Organisms (Deliberate Release) (Amendment)

(England) Regulations 2019/1252 PIR was due on 29<sup>th</sup> September 2024 but was published a day later.

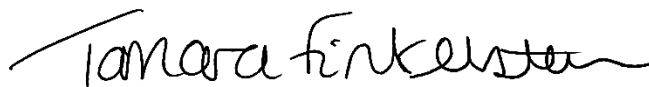
The timing of the General Election and the Pre-Election Period had an impact on our PIR work and meant a temporary pause to our publication of PIRs for several months. We continue to make progress with preparing our PIRs and have been working with new ministers to restart frequent publications. 7 PIRs have been published since the General Election.

Clearing the PIR backlog remains a departmental priority and I expect to see an increase in PIRs published before the end of the year - we currently estimate a further 13 backlog PIRs are likely to be published in this period. Nonetheless, it is unfortunately the case that not all of the PIRs will be ready in time to meet the original 'end-of-2024' commitment. The department will work to publish any remaining PIRs as early as possible in 2025.

As mentioned in my previous correspondence, the internal digital App that we have developed has greatly improved the tracking and focus of the programme within the department. I remain committed to ensuring that the backlog is cleared at the earliest opportunity and that Defra's statutory review obligations are met going forwards.

I will provide a further update in April 2025.

**TAMARA FINKELSTEIN**  
**Permanent Secretary**

A handwritten signature in black ink that reads "Tamara Finkelstein". The signature is written in a cursive, flowing style.

## ANNEX A: List of published PIRs in 2023 and 2024

| PIRs Published in 2023 and 2024 |  | Date Published |
|---------------------------------|--|----------------|
| 1                               | Ringling of Certain Captive-bred Birds (England and Wales) Regulations 2017  | 06/02/23       |
| 2                               | Timber and Timber Products (Placing on the Market) Regulations 2013/233  | 15/03/23       |
| 3                               | Single Use Carrier Bags Charges (England) Order 2015/776   | 02/05/23       |
| 4                               | Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018/556                                       | 12/06/23       |
| 5                               | The Environmental Permitting (England and Wales) Regulations 2016/1154   | 15/06/23       |
| 6                               | The Environmental Permitting (England and Wales) Regulations 2016/1154 (Schedule 9)  | 03/07/23       |
| 7                               | Alien and Locally Absent Species in Aquaculture (England and Wales) Regulations 2011/2292  | 20/07/23       |
| 8                               | Grants for Fishing and Aquaculture Industries Regulations 2015/1711  | 20/07/23       |
| 9                               | Bathing Water Regulations 2013/1675  | 01/09/23       |
| 10                              | Reservoirs Act 1975 (Capacity, Registration, Prescribed Forms, etc.) (England) Regulations 2013/1677                               | 07/09/23       |
| 11                              | Reservoirs Act 1975 (Exemptions, Appeals and Inspections) (England) Regulations 2013/1896  | 07/09/23       |
| 12                              | Environmental Impact Assessment (Agriculture) (England) (No.2) Regulations 2006/2522   | 18/09/23       |
| 13                              | Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999/2228   | 18/09/23       |
| 14                              | Marine Works (Environmental Impact Assessment) Regulations 2007/1518   | 18/09/23       |
| 15                              | Water Resources (Environmental Impact Assessment) (England and Wales) Regulations 2003/164   | 18/09/23       |
| 16                              | Plant Health (Sweet Chestnut Blight) (England) Order 2017/178  | 19/10/23       |
| 17                              | Animals and Animal Products (Examination for Residues and Maximum Residue Limits)(England and Scotland) Regulations 2015/787       | 27/10/23       |
| 18                              | Equine Identification (England) Regulations 2018/761   | 15/11/23       |
| 19                              | Cattle Identification Regulations 2007/529   | 21/11/23       |
| 20                              | Fruit Juices and Fruit Nectars (England) Regulations 2013/2775   | 22/11/23       |
| 21                              | Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014/3263 | 28/11/23       |
| 22                              | Caseins and Caseinates (England) Regulations 2017/848  | 29/11/23       |
| 23                              | Veterinary Medicines Regulations 2013/2033   | 05/12/23       |
| 24                              | Zootechnical Standards (England) Regulations 2018  | 08/12/23       |
| 25                              | Detergents Regulations 2010/740  | 14/12/23       |

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|----|---|----------|
| 26 | Sea Fishing (Points for Masters of Fishing Boats) Regulations 2014/3345   | 11/01/24 |
| 27 | African Horse Sickness (England) Regulations 2012/2629  | 12/01/24 |
| 28 | Waste (England and Wales) Regulations 2011/988  | 14/03/24 |
| 29 | Tuberculosis (Non-bovine animals) Slaughter and Compensation (England) Order 2017/1254                                    | 20/03/24 |
| 30 | Forest Law Enforcement, Governance and Trade Regulations 2012/178   | 04/04/24 |
| 31 | Pigs (Records, Identification and Movement) Order 2011/2154   | 15/04/24 |
| 32 | Sheep and Goats (Records, Identification and Movement) (England) Order 2009/3219  | 15/04/24 |
| 33 | Water and Sewerage Undertakers (Exit from Non-household Retail Market) Regulations 2016/744                               | 09/05/24 |
| 34 | Environmental Protection (Microbeads) (England) Regulations 2017/1312   | 16/05/24 |
| 35 | Transfrontier Shipment of Waste Regulations 2007/1711   | 16/05/24 |
| 36 | Ship Recycling Facilities Regulations 2015/430  | 22/05/24 |
| 37 | Batteries and Accumulators (Placing on the Market) Regulations 2008/2164  | 23/05/24 |
| 38 | Legislative Reform (Constitution of Veterinary Surgeons Preliminary Investigation and Disciplinary Committees) Order 2013 | 06/09/24 |
| 39 | The Sulphur Content of Liquid Fuels (England and Wales) Regulations 2007  | 23/09/24 |
| 40 | INSPIRE Regulations 2009  | 24/09/24 |
| 41 | Genetically Modified Organisms (Deliberate Release) (Amendment) (England) Regulations 2019/1252                           | 30/09/24 |
| 42 | Salmon and Migratory Trout (Prohibition of Fishing and Landing) (England) Order 2015                                      | 30/09/24 |
| 43 | Prohibition of Keeping or Release of Live Fish (Specified Species) (England) Order 2014                                   | 30/09/24 |
| 44 | Wildlife and Countryside Act 1981 (Variation of Schedule 9) (England) (No. 2) Order 2021                                  | 30/09/24 |

**ANNEX B: Overdue PIRs to be completed by the end of 2024 – with subgroups for the remaining end-2023 and end-2024 PIRs**

| <b>Overdue PIRs targeted to be completed by end of 2023 (now aiming for publication as soon as possible in 2024)</b> |   |
|--|---|
| 1  | The Plant Protection Products Regulations 2011  |
| 2  | The Marketing of Fresh Horticultural Produce Regulations 2009   |
| 3  | The Plant Protection Products (Sustainable Use) Regulations 2012                                      |
| 4  | The Designation of Features (Notices) (England) Regulations 2012                                      |
| 5  | The Fish Labelling Regulations 2013   |
| 6  | Environmental Damage (Prevention and Remediation) (England) Regulations 2015/810                      |
| 7  | The Hazardous Waste (England and Wales) Regulations 2005  |
| 8  | The Quality Standards for Green Bananas (England and Wales) Regulations 2012                          |
| 9  | The Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012 |

| <b>Overdue PIRs targeted to be completed by end of 2024</b> |  |
|---|--|
| 1   | Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018                          |
| 2   | Conservation of Habitats and Species Regulations 2017  |
| 3   | Disease Control (England) Order 2003   |
| 4   | Diseases of Swine Regulations 2014   |
| 5   | Farriers' Qualifications (European Recognition) Regulations 2015   |
| 6   | Lobsters and Crawfish (Prohibition of Fishing and Landing) Order 2000  |
| 7   | Nitrate Pollution Prevention Regulations 2015  |
| 8   | Non-Commercial Movement of Pet Animals Order 2011  |
| 9   | Producer Responsibility Obligations (Packaging Waste) Regulations 2007   |
| 10  | Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018                          |
| 11  | Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012 |
| 12  | Single Common Market Organisation (Emergency Aid for Milk Producers) Regulations 2015                          |
| 13  | The Packaging Essential Requirements Regulations 2015  |
| 14  | Trade in Animals and Related Products Regulations 2011   |
| 15  | Water Infrastructure Adoption (Prescribed Water Fittings Requirements) (England) Regulations 2017              |
| 16  | Water Supply and Sewerage Licences (Cross-Border Applications) Regulations 2016                                |
| 17  | Wine Regulations 2011  |
| 18  | Animal By-Products (Enforcement) (England) Regulations 2013  |
| 19  | Conservation of Offshore Marine Habitats and Species Regulations 2017  |
| 20  | Country of Origin of Certain Meats (England) Regulations 2015  |
| 21  | Marine Licensing (Delegation of Functions) (Amendment) Order 2015  |

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| 22 | Organic Products Regulations 2009  |
| 23 | Private Water Supplies (England) Regulations 2016                                |
| 24 | Transmissible Spongiform Encephalopathies (England) Regulations 2018             |
| 25 | Waste Electrical and Electronic Equipment Regulations 2013                       |
| 26 | Water Industry (Charges) (Vulnerable Groups) (Consolidation) Regulations 2015    |
| 27 | Water Quality and Supply (Fees) Order 2016                                       |
| 28 | Condensed Milk and Dried Milk (England) Regulations 2015                         |
| 29 | Designation of Features (Appeals) (England) Regulations 2012                     |
| 30 | REACH Enforcement Regulations 2008   |
| 31 | Specified Diseases (Notification) (Amendment) (England) Order 2015               |
| 32 | Water Supply (Water Quality) Regulations 2016                                    |
| 33 | Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008 |
| 34 | Water Mergers (Modification of Enactments) Regulations 2004                      |