



HOUSE OF LORDS

Common Frameworks Scrutiny Committee

House of Lords

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30 April 2021

The Rt Hon George Eustice MP
Secretary of State for Environment, Food and Rural Affairs
Department for Environment Food & Rural Affairs
Seacole Building
2 Marsham St
London
SW1P 4DF

Dear George,

Thank you for the summaries of the Agricultural Support and Animal Health and Welfare Frameworks which were considered by the Committee on 27 April.

I would like to confirm the Committee's intention to scrutinise both Frameworks. However, given the uncertainty of when the Provisional Frameworks will be published, and how many other frameworks might be published at the same time, we reserve the right to extend our scrutiny beyond 21 sitting days if required.

There are also a few areas within both Frameworks where we would welcome additional clarity before receiving the Provisional Frameworks. We note that the 11 summaries that DEFRA shared with the Committee on 1 April were accompanied with an explanation that significant work to develop those Frameworks is ongoing, especially regarding work to address the cross-cutting issues. In order to aid our scrutiny planning, can you provide a timeframe of when these issues will likely be resolved? We also note your explanation that stakeholder consultation has so far been limited, but can you provide an explanation for the criteria involved in selecting stakeholders to consult for both Frameworks, and a timeframe for further stakeholder consultation?

We are also concerned to see that both summaries lack information we would expect to be included in framework summaries. It is notable that an explanation of the basic interactions with the Protocol on Ireland/ Northern Ireland and the UK Internal Market Act 2020 is absent from both summaries. This is especially important for these frameworks as the island of Ireland is considered a single epidemiological unit and neither summary provides appropriate explanation of the implications of this for these frameworks. Can you provide a brief explanation for how both Frameworks interact with the Protocol on Ireland/ Northern Ireland, how potential divergence will be addressed, and how the issue that the island of Ireland is considered a single epidemiological unit will be addressed? We would also be grateful for an explanation for how both Frameworks interact with the UK Internal Market Act 2020.

Regarding the Agricultural Support Framework summary, we note that two working groups (the MMG and PCG) are proposed, with separate remits, to aid cooperation between the administrations on agricultural support. As an indication of the process and the need for robust coordination, and also to bring the framework in line with other frameworks we have seen, could you confirm how

often these working groups plan to have their respective meetings? Further, to what extent will these working groups plan to interact with each other to aid policy coordination?

Regarding the Animal Health and Welfare Framework, it is significant that the scope of the Framework has yet to be fully determined, and the specific legislation covered by the Framework has not been shared. Can you provide a list of the legislation that will be covered by this Framework and the EU legislation that will be replaced? We have agreed in previous correspondence with the Minister for the Constitution and Devolution that this is information we should expect to be included in summaries unless accompanied by an explanation for its absence.

We note that while the Framework will respect the right for the administrations to diverge on policy, baseline standards will be established. This is a significant element in the framework. We would like to know therefore, what exactly will these baseline standards cover, who will determine them, and what process will be followed, and how will they be mediated going forwards?

The summary also states that certain areas are under consideration for being included within the scope of the Framework. If policy areas associated with other frameworks that influence animal health and welfare are included, how will this impact the working practices of the Animal Health and Welfare Framework? How much interaction may be required with the relevant working groups of the other frameworks?

We also note that a proposed single animal health and welfare body will be responsible for the policy area in some or all of the administrations. What are the benefits of this approach and what would be the membership of this body?

We are copying this letter to Chloe Smith MP as Minister for the Constitution and Devolution, Jeremy Miles MS as the Counsel General, Michael Russel MSP as Cabinet Secretary for the Constitution, Europe and External Affairs, Arlene Foster MLA as First Minister, Michelle O'Neil MLA as deputy First Minister, Roseanna Cunningham MSP as Cabinet Secretary for Environment, Climate and Land Reform, Lesley Griffiths MS as Minister for Environment, Energy and Rural Affairs, and Edwin Poots MLA as Minister of Agriculture, Environment, and Rural Affairs.

We look forward to receiving your response within 10 working days.

Yours sincerely,

Baroness Andrews
Chair of the Common Frameworks Scrutiny Committee