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Dear Darren,

Thank you for your letter of 21 April setting out questions from the Committee regarding the proposed Specified Quantities and Packaged Goods Common Framework.

I appreciate the Committee's eagerness to have sight of the full Framework. BEIS continues to work closely with Cabinet Office on the Common Frameworks Programme and will continue to align to its processes and milestones. We are committed to developing effective frameworks on a consensual basis with Devolved Administrations. As you have noted, five BEIS Common Frameworks have been provisionally confirmed by JMC (EN) Ministers in the UK Government, Scottish Government and Welsh Government, but not yet in the Northern Ireland Executive. Cabinet Office is working with partners in the Scottish Government, the Welsh Government and the Northern Ireland Executive to develop a consistent approach to the publication of frameworks, and in line with Cabinet Office guidance, we are committed to ensuring our frameworks are finalised and properly scrutinised by the end of 2021.

However, as this Framework is formalising existing and established way of working the Committee can be assured that the principles of the Framework continue to be put into practice as they have always done. This arrangement will remain in place until the Northern Ireland Executive is in a position to complete the provisional confirmation process and while the necessary work to fully implement Common Frameworks continues. In practice, this means that policy teams will make use of the forums and structures laid out in the provisional frameworks to engage with one another as appropriate.

I will now turn to the specific questions (in italics below) you have raised in your letter.

How will the framework interact with, or be impacted by, any future UK negotiations on trade or in other areas?

The Common Framework is a non-legislative framework that formalises the working arrangements for collaboration and information sharing between the Department for Business Energy and Industrial Strategy (BEIS) and the Northern Ireland Department for Economy (DfE) for this policy area, building on existing practice. Should there be any proposed changes to policy in this area arising from future trade negotiations or agreements, the Common Framework would ensure appropriate engagement takes place between officials in BEIS and DfE. The principles outlined in the framework manage potential divergence in a way that respects the NI Protocol.

How often will this framework be reviewed and revised?

The Framework has been designed to be flexible and high level so it should not need constant revision, but it does include provision for review after three years. However, either party will be able to ask for a review at any time, should a substantive issue arise.

Could you provide some examples of circumstances which could lead to future policy divergence in this area?

This framework covers the areas of Specified Quantities and Packaged Goods, which relates to the regulation of quantity control, pack sizes and quantity labelling requirements for packaged goods. Regulations in this area are intended to ensure consumers have access to information on quantity and are protected from short measure. Future policy changes could be required if, for example, as a result of technological or societal change, there were different or better ways of delivering these protections.

Could policy divergence lead to this framework directly interacting with the EU–UK Trade and Cooperation Agreement?

This Framework does not interact directly with the EU–UK Trade and Cooperation Agreement. This framework is concerned only with engagement between officials within BEIS and the Department for Economy in Northern Ireland.

Which relevant stakeholders will be consulted for advice if there is future policy divergence? What feedback did stakeholders provide? Please provide a summary of any meetings and feedback received from each stakeholder. Have any Local Authority Trading Standards offices been consulted in the stakeholder process?

Officials in BEIS have consulted with relevant industry stakeholders, including the Food and Drink Federation, the British Retail Consortium and the Northern Ireland Food and Drink Association on the general approach being taken. No comments or issues have been raised by them regarding the proposed formalisation of the existing ways of working. The framework does not have any direct impact on Local Authority Trading Standards and they have not been consulted. However, officials are in regular dialogue with representatives from Local Authority Trading Standards teams and the Chartered Trading Standards Institute on issues related to metrology enforcement and will share the Common Framework with them for information as soon as it is finalised.

I hope this additional information has been helpful and that the Committee now has the information it needs to consider its approach to scrutiny of this Framework.



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