



HOUSE OF LORDS

Common Frameworks Scrutiny Committee

House of Lords

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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
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Dear George,

Thank you for the Plant Health Provisional Framework that was published on 3 February and considered by the Committee on 11 March. We appreciate this framework being privately shared with our secretariat before its publication so we could prepare for scrutiny in a timely fashion. Whilst I want to confirm the Committee's intention to produce recommendations for this framework, there are several areas where we would first appreciate more information.

We were concerned that, despite the large number of working groups that play a role in the operation of the framework, proper information was only provided for four of them – the UK NPPO, the UK Plant Health Policy Group, the UK Plant Health Market Access Working Group and the UK Plant Health Risk Group. Even in these cases, the information is limited. For example, the regularity of meetings is not outlined in Annex 4, nor is there a mention of who chairs meetings. Could you provide this information for these groups? Additionally, we are concerned at the large number of groups, some with titles that could suggest overlapping responsibilities for which there is very little information. Could you therefore provide us with more detail on the work and composition of the following groups:

- Plant Health Outbreak Readiness Board
- FTA and TCA Coordination Group
- Plant Health Advisory Forum
- Tree Health Policy Group
- Surveillance and Control sub-group
- IT preparedness sub-group
- Training and Exercises sub-group
- Outbreak management process/lessons learned sub-group
- Risk Register and PRA sub-group
- Import Threats sub-group

- Publicity and Awareness Raising sub-group
- Legislation and Implementation sub-group
- Surveillance, Incidents, Contingency Plans sub-group
- Science Coordination WG
- Forest Reproductive Material (Ad Hoc) Working Group

We are also concerned that such a large number of working groups and complex set of working arrangements could create excessive bureaucracy. Were the groups mentioned above established in line with the development of the framework, or did they already exist in some form? If they were newly established, what was the reason for having so many groups rather than fewer groups with larger remits?

We were concerned that in the diagram in Annex 3, it seemed that stakeholder groups are only consulted at the point a matter goes to the UK NPPO Group. This seems to contradict the framework's vision that "Stakeholders will continue to be engaged early in the decision-making process to gather views and opinions that will feed into the UK Plant Health Risk Group decision making process." Additionally, we were surprised that the provisional framework seemed to limit stakeholder engagement to the UK NPPO or the UK Plant Health Risk Group. Could you therefore clarify at what stage in the process stakeholders are consulted, and by who? If stakeholders can only be consulted by the UK NPPO or the UK Plant Health Risk Group, could you clarify why this is the case? Why should other groups at a similar level not be able to consult stakeholders on the specific matters they consider?

We were particularly confused about the Plant Health Policy Group, which is mentioned in the text of the framework but does not appear in the diagram in Annex 3. Please could you outline where this group should fit in the diagram? Could you also provide more information about the role and operation of the group, including membership, frequency of meetings, secretariat, and chair?

In our [previous correspondence](#) with you, we discussed the Plant Health Service Operational monitoring group, but this group does not appear in the Annex 3 diagram, nor is it mentioned in the framework. What has happened to it?

We note that the Crown Dependencies are invited to attend the UK Plant Health Risk Group, but that the Crown Dependencies do not appear in the Annex 3 diagram. Could you explain why the decision was made not to include them?

We were interested to read that the dispute resolution process outlines how legal counsel can be sought at any stage in the process. We have not seen mention of legal counsel in other frameworks. Could you clarify why this particular framework mentions legal counsel as an option in the dispute resolution process?

We again also note with concern the absence of any reference to the UK Internal Market Act's exclusions process. However, we acknowledge that you are looking to see if this issue can be resolved.

Finally, the Committee is keenly aware of the fact that cross-border co-operation with the Republic of Ireland is integral to the successful protection and management of plant health and believe that the framework must be sensitive to this. As the North-South Ministerial

Council is the official forum for discussion between Northern Ireland and the Republic of Ireland on plant health issues, could you confirm if discussion of the development of this framework has taken place at the Council? Additionally, we were pleased to see the framework clarified that a Plant Health & Pesticides Steering Group oversee an annual work programme that co-operates with Ireland's Department of Agriculture, Food and the Marine. Could you clarify why this group does not appear in the diagram in Annex 3?

In order to facilitate the swift scrutiny of this framework, we ask that you respond within 5 working days.

Yours sincerely,

Baroness Andrews
Chair of the Common Frameworks Scrutiny Committee