



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 Agricultural Support Provisional Framework that was published on 3 February and considered by the Committee on 8 February. We appreciate this framework being privately shared with our secretariat before its publication so we could prepare for scrutiny in a timely fashion. We note this to be a highly complex framework which covers a significant and evolving policy area. Whilst I want to confirm the Committee's intention to produce recommendations for this framework, there are several areas where we would first appreciate greater clarity.

We were concerned to notice several contradictions within the framework regarding the roles and operation of the various working groups referenced. In [previous correspondence](#) with you, we were told that the PCG would convene every three months, an idea supported on p25. However, Annex B states the PCG will "normally meet every month". Can you clarify how often will the PCG meet? On p25 we read that "The MMG will be supported by a standing DEFRA secretariat and the PCG will be supported by a rotating secretariat". Yet in Annex B, we read that the PCG will be "supported by a standing DEFRA secretariat". Can you confirm which group will be supported by a standing DEFRA secretariat, and which one will be supported by a rotating secretariat?

In [previous correspondence](#) with you, we were told that "The MMG and PCG work together to aid policy coordination and collaboration" but the framework does not outline this role. Could you clarify how the PCG and MMG will work together?

In Annex C, it sets out that one of the roles of the MMG is to provide a "platform for Policy Leads to consider UK MMG evidence at the separate UK Agriculture Market Policy Group (UKAMPG)". The Committee were unable to find any information on its existence. Could you provide further detail on this group?

On p22 it states that that the PCG will have "engagement with the industry via the proposed 'Farming Conference UK' or other working groups." The Committee were unable to find any information on this proposed group. Could you provide further detail on this group?

The Committee were unclear what the difference is between the senior officials on the PCG and the SOPB. Could you explain the difference?

We were also unclear how often reviews of the framework will take place after the first review. We read that "Further reviews will continue to take place annually at which point it can then be

reviewed every three years". Does this mean reviews take place annually or only once every three years? Additionally, we were unclear as to who is responsible for conducting these reviews. Please could you provide further detail?

We are also increasingly concerned about the impact of the Subsidy Control Bill currently progressing through Parliament and its interaction with common frameworks. While we acknowledge Subsidy Control is a reserved area, powers and requirements within the Bill could have implications for agricultural policy across the UK. Within the Bill, we note that there are powers under which the Secretary of State can refer subsidies or subsidy schemes made by the devolved Governments to the Competition and Markets Authority (CMA) which could potentially have the effect of overriding the devolved governments when it comes to proposing subsidies (clauses 52 and 60). We are therefore concerned about how provisions in the Bill can be harmonised with the explicit equality of the Parties provided for in the framework in respect of agricultural support. Our concern not only relates to the provisions to which we have referred but also to clause 10(5) (streamlined subsidy schemes), clause 70(5) (standing before Competition and Markets Tribunal) and schedule 3 (review by the High Court or Court of Session for compliance with subsidy control principles of primary legislation of the devolved Parliaments which makes provision for subsidies or subsidy schemes).

We would therefore be grateful if you could first clarify which devolved areas covered by the scope of this framework could be impacted by the Subsidy Control Bill? Second, can you also clarify what would happen if the CMA or Competition Appeal Tribunal, High Court or Court of Session made a different decision on subsidies to one proposed or agreed within the framework?

In order to facilitate 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