



Department
for Environment
Food & Rural Affairs

The Rt Hon Michael Gove MP
From the Secretary of State for Environment, Food and
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Neil Parish MP
Chair, Environment Food and Rural Affairs Select Committee
House of Commons
London
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29th September 2017

Dear Neil,

SELECT COMMITTEE MEETING 13 SEPTEMBER – FOLLOW UP

When I appeared before the Committee on 13 September, I promised to provide further details on Defra's statutory instrument programme and staffing levels.

Defra has identified a need to correct around 850 pieces of legislation that we own as a result of EU Exit. Based on current assumptions, we envisage needing to make around 100 Statutory Instruments. We remain committed to making our SIs smaller, simpler and easier for Parliament to understand and scrutinise.

In order to make our SI programme as transparent and accessible as possible we are seeking to take account of factors such as:

- scrutiny arrangements that will apply to certain categories of correction (e.g. the transfer of legislative functions and establishing new fees and charges) where, for ease of parliamentary scrutiny and increased transparency for stakeholders, we are planning to make a number of SIs specifically relating to transfer of legislative functions;
- the scope of the legislation being corrected, i.e. whether it's directly applicable EU law, fully or partially devolved legislation, so that we can best approach future legislative working arrangements with devolved administrations, once agreed.

In the spirit of being as open as possible with our planning, we are also considering how best to engage and consult with stakeholders on our secondary legislative programme by setting up a consultation group to provide external advice and challenge on our proposed methodology.

On current assumptions, a break-down of expected SIs by policy area is provided below though this currently excludes any secondary legislation being considered under the Agriculture and Fisheries Bills my department is working on.

Workstream:

Animal and Plant Health:	32
Environment	27
Fisheries	2
Food and Farming	34

Turning to staffing levels, over 80% of Defra's agenda is affected by the UK's departure from the European Union and as a result, many roles across the Defra group are now supporting EU exit-related work, either directly or indirectly. To supplement existing capability and capacity Defra has recruited over 400 additional staff, comprising both policy generalists and specialists, to support our comprehensive EU exit programme of work.. The majority of these new staff are employed in the central department where they are working on a range of projects identified to enable a successful withdrawal from the EU. We continue to keep our resourcing plans under review, focusing both on recruitment and increasing the capability of new and existing staff

With every good wish,



Michael Gove