22 February 2018

Dear Edward,

DEFRA AND DEVOLVED ADMINISTRATIONS MINISTERIAL MEETING

This letter updates the Committee on the key points from the Defra and Devolved Administrations ministerial meeting held on 14 December 2017, at which I represented both the Environment, Climate Change and Land Reform and Rural Economy and Connectivity portfolio interests.

The meeting was held in London and was chaired by Michael Gove (Secretary of State for Environment, Food and Rural Affairs) and other participants were George Eustice (Minister of State for Food and Farming), Lord Duncan (Parliamentary Under Secretary for Scotland and Northern Ireland), Guto Bebb (Parliamentary Under Secretary for Wales), and Lesley Griffiths (Cabinet Secretary for Energy, Planning and Rural Affairs in the Welsh Government). The Northern Ireland Executive was represented by Noel Lavery (Permanent Secretary, Department of Agriculture, Environment and Rural Affairs).

The agenda included an initial update from each administration, followed by specific items on operational readiness, sectoral readiness, environmental outcomes and Defra’s plans for Brexit related primary legislation.

Under the general update item, I sought Mr Gove’s views on the key issues for the Defra portfolio arising from the agreement reached in December 2017 between the UK Government and the EU 27 on phase 1 of the UK-EU negotiations. In particular, I asked whether the potential agreement on a transition period would affect the UK Government’s current planning assumptions and funding guarantees to date as they affect future agricultural and environmental funding. I noted the Scottish Government’s position, as set out clearly by the First Minister on 8 December, that any special arrangements for Northern Ireland must now be available to other nations of the UK.
During discussions on operational readiness, it was noted that at the Joint Ministerial Committees (EU Negotiations) in October and December there had been broad agreement on how to progress discussions on UK frameworks.

I welcomed acknowledgement of the wide set of issues within the areas covered by the Defra portfolio where it has now been agreed that a legislative framework is not required, and that the current focus is on the operational issues that will require to be addressed ahead of 'exit day'. I also asked Mr Gove to confirm Defra's planning assumptions for the UK's exit from the EU as this would be important context for further discussions at official level on operational readiness.

I welcomed the discussion on sectoral readiness and noted Scotland shared many similarities and differences with our Welsh neighbours. In this context, a key question for Scotland will be the potential impact of Brexit on export opportunities, given the importance of exports to the Scottish economy.

In response to a discussion on environmental outcomes and governance, I set out that I have commissioned advice from the Roundtable on Environment and Climate Change on this issue for Scotland. I reflected that this needs to be considered separately within each administration and for approaches to be designed in line with individual principles and existing individual systems of accountability, given the important role played by the devolved legislatures since devolution. I also reconfirmed my ambition was not just to carry over the status quo, should the UK exit the EU, but to continue to look to Brussels in the development of future environmental standards, wherever possible, so that divergent aspirations with the EU are not created.

Finally, I requested an update on Defra's plans for Brexit related primary legislation and noted that urgent clarity is still needed on the proposed timing and content of these Bills, on the proposed content of the Agriculture Command Paper and Fisheries White Paper, and further clarity on the UK Government's intentions in a range of key policy areas, including on future funding arrangements.

The Cabinet Secretary for the Rural Economy and Connectivity and I will attend the next Defra and Devolved Administrations ministerial meeting on 26 February 2018 in Cardiff.

I hope this summary is helpful. A letter to the Convener of the Environment, Climate Change and Land Reform Committee on similar terms has also been issued.

Yours

ROSEANNA CUNNINGHAM

St Andrew's House, Regent Road, Edinburgh  EH1 3DG
www.gov.scot