House of Commons
Environment, Food and Rural Affairs Committee

Work of the Committee: 2010–15

Ninth Report of Session 2014–15

Report, together with formal minutes relating to the report

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Environment, Food and Rural Affairs Committee

The Environment, Food and Rural Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Environment, Food and Rural Affairs and its associated bodies.

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Miss Anne McIntosh (Conservative, Thirsk and Malton) (Chair)
Richard Drax (Conservative, South Dorset)
Jim Fitzpatrick (Labour, Poplar and Limehouse)
Mrs Mary Glindon (Labour, North Tyneside)
Mrs Emma Lewell-Buck (Labour, South Shields)
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Mr Mark Spencer (Conservative, Sherwood)
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The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via www.parliament.uk.

Publication

Committee reports are published on the Committee's website at www.parliament.uk/efracom and by The Stationary Office by Order of the House.

Evidence relating to this report is published on the inquiry page on the Committee’s website.

Committee staff

The current staff of the Committee are David Weir (Clerk), Clementine Brown (Assistant Clerk), Sarah Coe (Senior Committee Specialist), Sara Priestley (Committee Specialist—Environment), Emma McIntosh (Senior Committee Assistant), Lisa Stead (Committee Assistant), Holly Knowles (Committee Support Assistant) and Nicholas Davies and Rosie Tate (Media Officers).

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1 Scrutinising Defra

The work of the Committee

1. The Committee’s core task is to scrutinise the administration, expenditure and policies of the Department for Environment, Food and Rural Affairs (Defra) and the bodies for which its Ministers are responsible. In doing so throughout this Parliament, we have sought to combine our approach, both focusing on individual policy proposals as they arise and providing more thematic investigations into major areas within the Department’s remit. Over the past five years, we have conducted some 60 inquiries across the gamut of policy areas for which the Department has responsibility. We have taken oral evidence from some 345 organisations and individuals, and received over 1,000 pieces of written evidence.

2. In addition, we have examined draft legislation: one of the core tasks identified by the Liaison Committee for departmental select committees to undertake. We looked at proposed Bills on: reform of the water industry; managing dangerous dogs; prohibiting wild animals in circuses; and the establishment of a Groceries Code Adjudicator. We held pre-appointment hearings and endorsed the appointments of Chairs of four key Defra agencies: the Environment Agency (EA), Natural England (NE), the Water Services Regulation Authority (Ofwat) and the Gangmasters Licensing Authority (GLA). Our scrutiny of policy has frequently involved a review of progress on the implementation of legislation and its impacts, such as on floods and water management, although we have not conducted post-legislative scrutiny into a specific Act—another core task for departmental select committees. With much of the legislation relating to Defra’s remit originating from EU requirements, we have repeatedly focused on key EU policies relating to agriculture, fisheries and the environment, looking at how Defra is both influencing development of policy and implementing the outcomes in the UK.

3. The aim of this report is to provide our successor Committee with a short review of our work over this Parliament. Given its range and depth, we cannot reflect all of our work in detail nor provide an exhaustive list of all the issues which we consider important. We hope, however, that future members of a scrutiny committee will find this report a helpful guide to some of the areas where we consider Defra policies and practices have the most impact on the UK’s environment, food systems and rural communities. We also identify significant issues which merit continuing scrutiny beyond dissolution of this Parliament.

4. We are grateful to the large number of individuals and organisations who have given us evidence in writing or in person and to the special advisers and staff who have supported us in our task.
The work of the Department for Environment, Food and Rural Affairs

5. Defra is among the Government’s smaller Departments. More than 80% of its expenditure is delivered through executive agencies and arms-length bodies, among the biggest of which are the Rural Payments Agency (RPA), the EA, and NE. A common theme across a large part of our work has been the negative impact on policy formulation and delivery resulting from the hollowing out of Defra’s core functions: there needs to be a more robust central body of expertise driving forward the Department’s aims and balancing the strength of the arms-length bodies, with firm Ministerial leadership including to deliver environmental objectives across government. The engagement of staff employed at Defra, measured via annual staff surveys, is consistently lower than the civil service average, with staff repeatedly reporting absence of clarity about their managers’ vision and their own prospects for advancement. In combination, this arms-length distance from policy delivery and comparatively poor staff morale raises questions about the Department’s effectiveness, which are amplified by the consistent failure of the Department to meet goals it sets itself. Two examples of that are: the waste of around £600 million over the years in EU fines because of the RPA’s failure properly to implement the 2005 Common Agricultural Policy (CAP) settlement, and repeated ‘moving of goalposts’ over the numbers of badgers to be culled in trials designed to reduce bovine TB. Balancing budgetary pressures against Defra’s future budget and its capacity to manage delivery of its policy objectives by bodies at a distance will continue to be a major challenge for the Department. We would anticipate this being a key focus of future scrutiny by our successor Committee.

1 For the most recent report into Defra’s performance see Environment, Food and Rural Affairs Committee, Eighth Report of Session 2014–15, Defra performance in 2013–14, HC 802
2 Environment

Natural Environment

6. Defra holds the remit for policies relating to England’s terrestrial and aquatic environments. The breadth of this remit means that during this Parliament we have focused on a wide range of issues covering water, air, and land policy areas. Some of the largest areas of Defra’s expenditure relate to this policy area, such as spending on flood defences and waste management. The largest Defra agencies also fall under this category with the EA, NE and Ofwat performing key functions in protecting and enhancing the natural environment and assuring the supply of essential services such as clean air and water.

Natural Environment White Paper

7. In June 2011, the Government published the first White Paper on the natural environment for 20 years. This recognised that a healthy natural environment is the foundation of sustained economic growth, prospering communities and personal wellbeing. We carried out an inquiry to examine the policies in the White Paper and were disappointed that its aims had not been integrated into the policies of other government departments. Successful delivery of the White Paper was seen as central to the Coalition Government fulfilling its commitment to be the “greenest government ever”. The White Paper contained 92 specific actions and a range of policy levers, but we were concerned that Defra had neither an overarching action plan nor a timetable for delivery of its aims. Defra has published periodic White Paper implementation updates: the most recent, from October 2014, notes that the delivery of a number of commitments is still “in progress”.

8. The White Paper included proposals for piloting voluntary biodiversity offsetting schemes, which we believed had the potential to deliver a considerable positive impact on the natural environment provided that the first priority of these schemes was to enhance biodiversity. We have monitored the progress of the biodiversity offsetting proposals, which have been significantly delayed, and made subsequent recommendations in our annual reports on Defra’s performance. In our Defra performance in 2013–14 report we called on the Department to set out a renewed timetable for its actions on biodiversity offsetting to provide certainty for local communities, landowners, planning authorities and

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4 Defra, Natural Environment White Paper, Implementation update report, October 2014
developers. A future Committee may wish to continue to monitor progress on the implementation of biodiversity offsetting.

Tree health and plant biosecurity

9. Following the discovery of the fungus *Chalara fraxinea* (which causes ash die-back disease) in native UK ash trees in 2012, we looked into whether Defra’s policies and response to plant disease outbreaks were adequate. During the course of the inquiry, Defra asked its Chief Scientific Adviser to set up the Tree Health and Plant Biosecurity Expert Taskforce and subsequently accepted all the Taskforce’s recommendations. We welcomed the Government’s actions in this regard and stressed the importance of maintaining up-to-date systems and information whilst guarding against a focus on short term fire-fighting due to budget constraints. The Government has committed to providing us with regular updates on its progress on negotiating the new EU plant health regime over the next few years.

10. More recently, in March we raised with the Secretary of State the ability of the Royal Botanical Gardens, Kew, to continue to provide world-class scientific expertise in the light of uncertainties about the organisation’s future structure and funding. This is a potential issue for future monitoring.

Water

11. We conducted several inquiries into water policy and legislation during this Parliament, examining a breadth of issues including water scarcity and drought, water abstraction, water metering and water bills, water market reform, and flood and coastal risk management. As part of our role in scrutinising key public appointments, we also carried out pre-appointment hearings with the Government’s preferred candidates for Chair of Ofwat, and Chair of the EA. We endorsed the appointment of the candidates: Jonson Cox and Sir Philip Dilley respectively.

Draft Water Bill

12. During the 2012–13 Session, we carried out pre-legislative scrutiny of the *Draft Water Bill*, which set out legislative proposals to increase competition in the water sector in order

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8 Environment, Food and Rural Affairs Committee, Tenth Report of Session 2013–14, *Tree health and plant biosecurity*, HC 469
9 Environment, Food and Rural Affairs Committee, Third Report of Session 2012–13, *Pre-appointment hearing: Chair of the Water Services Regulation Authority*, HC 471
11 Note: The Committee also held pre-appointment hearings and endorsed the preferred candidates, Andrew Sells and Margaret McKinlay, as the Chairs of Natural England and the Gangmasters Licensing Authority respectively. See Eighth Report of Session 2013–14, *Appointment of the Chair of Natural England*, HC 890, and Seventh Report of Session 2011–12, *Pre-appointment hearing: Chair of Gangmasters Licensing Authority*, HC 1400–I
to improve efficiency and ultimately lower bills for customers. Our views were informed by our earlier reports on water policy: *Future Flood and Water Management Legislation*, and *The Water White Paper*, and by the work of our predecessor Committee. The draft Bill had a narrower focus than the Water White Paper, establishing a legislative framework for reform of the water industry and leaving much of the detail to be determined by secondary legislation and guidance. We criticised this approach and called for more detail and clarity to be included on the face of the Bill to allow for appropriate scrutiny.

13. None the less, we were encouraged to see subsequent Government amendments introduce some of our key recommendations into the Water Act 2014. Examples include a new clause enabling incumbent companies to exit the non-household retail market voluntarily, and a new clause requiring the Secretary of State to prepare a report on the progress being made on water abstraction reform within five years from the day the Act was passed. Defra’s consultation on its abstraction proposals closed in March 2014 and included proposals to link the amount of abstraction allowed more closely with how much water was available; and to make trading water much quicker and easier, giving licence holders a greater incentive to use their water responsibly. Defra is committed to being ready to legislate early in the next Parliament in order to implement reforms in the early 2020s. Key decisions on which to base the legislation will be made later in 2015.

14. We continued to monitor in subsequent inquiries and correspondence further pre-legislative recommendations which were not reflected in the Water Act. In particular, we continued to urge the Government to implement key, yet repeatedly delayed, provisions of the Flood and Water Management Act 2010, such as those on sustainable drainage systems (SuDS) to improve the management of surface water. Following public consultation in October 2014, Defra and the Department for Communities and Local Government announced that, rather than implementing the 2010 Act’s SuDS provisions, an alternative approach would be taken forward. This proposes to strengthen the planning system applicable to developers and local authorities, with relevant changes to planning policy expected to come into force this spring.

**Flooding**

15. Defra has policy responsibility for flood and coastal risk management. One of the Department’s top priorities is protecting the country from floods. Our reports on *Managing Flood Risk*, *The Water White Paper*, and *Winter floods 2013–14*, examined flood and coastal risk management and policy at various points throughout this Parliament

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15 Water Act 2014
in response to several episodes of widespread flooding across the country. We have consistently pushed for increased investment (both capital and revenue) for flood management, and in particular for better funding for agricultural land and rural areas and an acknowledgement of the importance of sustained and adequate maintenance work. We have also raised concerns about the effectiveness of the partnership funding model for securing private sector funding and the fairness of the thresholds and eligibility criteria of the Bellwin scheme. We have pursued specific recommendations—such as endorsing the role of Internal Drainage Boards and calling for urgent guidance on the new reservoir safety regime—through various channels, including through correspondence with the Secretary of State and via debates in both the Chamber and Westminster Hall.

16. We have closely followed developments in investment levels and policy: it is encouraging that action addressing our concerns has been taken in a number of respects. We welcomed the additional sources of funding that were announced over the past five years, most recently in response to the floods of the winter of 2013–14. We commended the widespread help provided to communities during flood relief efforts, but remain convinced that investment in flood prevention is preferable to spending on clean-up, from both an economic and social perspective. We were pleased that changes to the Bellwin scheme were made following the 2013–14 floods: for the first time in 30 years the threshold of costs incurred by flood damage at which help is provided was reduced, and the Government now commits to pay 100% of costs incurred by communities above this level. We welcomed the introduction of public sector co-operation agreements between the EA and Internal Drainage Boards which enable the EA to make full use of the Boards’ local expertise and knowledge in allocating funding for maintenance on main rivers in and around Board districts. In response to our continuing concerns that agricultural land tends to get sacrificed in favour of highly populated urban areas, the EA recently informed us that only 1% of grade 1 agricultural land is at very significant risk of flooding.19

17. Most recently, we have raised concerns about the detail of the Government’s six-year capital investment programme and the lack of any corresponding certainty for future revenue funding.20 In particular we have repeated our concerns about whether the partnership funding model will deliver increases in private sector funding in the future, and have urged Defra to explain the impact on the six-year investment programme if the £600 million external contributions target is not met, noting that only £40 million of the £148 million of partnership funding contributed to date has come from the private sector. The delivery of the external contributions target falls to the EA, which confirmed that “quite a lot of [the external funding] will either come from the local levy or local councils, but we are actively looking at how we can increase the money from private sources”.21 We also recommended that the Government assess the possibility of a transition to a total expenditure (capital and revenue) classification for flood and coastal risk management to

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19 Q105 [Sir Philip Dilley]
21 Q99 [Dr Leinster]
allow funding to be targeted according to local priorities, which Defra’s Permanent Secretary confirmed “is certainly an issue that we keep carefully under watch and discuss regularly with the Treasury”. A future Committee may wish to monitor this during the next Spending Review.

**Flood insurance**

18. Flood insurance for households (and, for now, small businesses) at high risk of flooding is currently provided in line with a Statement of Principles agreed between the Government and the Association of British Insurers (ABI) in 2008. As the Statement of Principles was a temporary solution (originally due to expire in June 2013), the Government has long been working with the insurance industry to find a more permanent solution. We tracked the development of updated proposals during the course of this Parliament and examined a number of potential models for flood insurance during our *Managing Flood Risk* inquiry. We supported the preferred Flood Re scheme in principle but were concerned that the full details were not available at the time that we carried out our scrutiny. A one-off evidence session was subsequently held with representatives from the insurance sector in March 2014 to provide us with an update on flood insurance proposals following the floods of winter 2013–14.

19. Since we published our *Managing Flood Risk* and *Draft Water Bill* reports, the Government and the ABI have agreed a Memorandum of Understanding on how to develop the Flood Re scheme to allow flood insurance to remain widely affordable and available; and a broad framework for establishing a new flood insurance scheme has been included in the Water Act 2014. Secondary regulations will put in place the detailed scheme, its funding and administration but these have yet to be laid for debate in either House. The Government intends Flood Re to be established by July 2015 and a future Committee may wish to continue our watching brief as the scheme is finalised and commences operation.

**Marine Policy Statement**

20. In January 2011, we welcomed the introduction of a Marine Policy Statement to provide a framework for planning in the UK’s marine areas. The Statement was in turn jointly published by the four UK Administrations in March that year, with the aim of ensuring clean, healthy, safe, productive and biologically diverse oceans and seas around the UK. Consultation in advance of publication was broadly positive. It was anticipated

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22 [Oral evidence] given on 19 November to Defra performance in 2013–14 inquiry, HC 802, Q26 [Bronwyn Hill]
24 Note: Flood Re will apply to flood insurance for households only
25 [Oral evidence] given on 11 March 2014 to Insurance for flooding inquiry, HC 1142
that the Statement would be reviewed every five years or so, implying that a review will be
due in early 2016, or that a new Committee may wish to prompt one.

**National Policy Statement on Waste Water**

21. The UK already has more than 347,000 kilometres of sewers and 9,000 sewage
treatment works but new infrastructure will be needed to meet the demands of a growing
population and EU environmental requirements. Our inquiry into the Government’s *draft National Policy Statement (NPS) on Waste Water* noted that it was essential that the
planning system for large waste water projects was as efficient as possible to deliver this in a
timely manner whilst giving sufficient attention to the impacts on local communities, and
on water and sewerage company customers who ultimately foot the bill.28 We supported
the proposed Waste Water NPS for its potential to provide a valuable policy framework to
guide decision makers. We did not, however, endorse the inclusion of site-specific sections
on the Thames Tideway Tunnel project, recommending that the NPS focus on the generic
issues applicable to all projects. None the less, we welcome the Government’s acceptance of
our recommendation that the Thames Tideway Tunnel be designated as a Nationally
Significant Infrastructure Project so that the streamlined planning processes could be
applied to the project.

**Air quality**

22. In the run-up to the 2012 Olympics, we took evidence on air quality issues in England
and Wales, with a particular focus on London.29 We examined performance against EU
and national air quality targets and considered how effective improvement measures had
been in cutting pollution. Also explored were the health impacts on people living and
working in areas experiencing breaches in air quality standards, as well as the roles and
responsibilities of key organisations in tackling air pollution, including local government,
the EA and Defra. In February 2014, the European Commission started infraction
proceedings against the UK following the UK Supreme Court declaration that the UK was
in breach of its obligations to comply with the nitrogen dioxide limit values in the Ambient
Air Quality Directive.30 As Defra is responsible for policy and regulation on environmental
protection and pollution control, and as the Department has committed to ensure
compliance with the Directive “as soon as possible”,31 this issue may be an area which a
future Committee may wish to monitor.

**Environmental regulation of hydraulic fracturing**

23. We took evidence on Defra’s responsibilities relating to the recovery of shale gas by
hydraulic fracturing (known as ‘fracking’) in September 2014 from Defra’s Secretary of

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29 See Air Quality inquiry page on EFRA Committee website
30 Directive 2008/50/EC on Ambient air quality and cleaner air for Europe.
31 See Defra, Request for information: air pollution infraction fines, May 2014
State, Rt Hon Elizabeth Truss MP, and from EA witnesses. We focused on the role of Defra in shaping environmental policy on fracking and on specific environmental impacts regulated by the EA. Concerns were raised about possible impacts on water resources and water quality, which were subsequently followed up by the Chair during a Liaison Committee evidence session with the Prime Minister in December 2014. Other issues associated with hydraulic fracturing, such as possible seismic activity, health and safety issues and noise pollution, are outside our remit as they are regulated by other Government departments including the Department for Energy and Climate Change and the Health and Safety Executive. The Committee welcomes the additional controls put in place by DECC to reduce the risk of seismic activity by way of a traffic light monitoring system triggered at a magnitude of 0.5. A further evidence session was held in March 2015 with representatives from shale gas operators to gain an industry perspective on the benefits and risks associated with fracking and to discuss the impact of the relevant Infrastructure Act 2015 provisions on shale gas operations.

Waste Management

24. About 177 million tonnes of waste is thrown away each year in England. However, from April 2014, Defra stepped back in areas of waste management “where businesses are better placed to act and there is no clear market failure”. In response to Defra’s announcement, we carried out an inquiry examining existing approaches to recycling and the treatment of household waste in England. Following publication of our Report on Waste management in England, (but before receipt of the Government response) the European Commission announced it would withdraw its proposals on moving towards a circular economy to replace them with more ambitious proposals by the end of 2015. The withdrawn package had included proposals on new targets on waste recycling, including 70% for municipal waste by 2030 and a ban on landfilling of recyclable waste (plastics, metals, glass, paper, cardboard and biodegradable waste) with the objective to move towards virtual elimination of landfilling municipal waste by 2030. We encouraged Defra to aspire towards these objectives (with or without European targets) but, in relation to many of our recommendations, the Government responded that until EU negotiations on any new proposal had substantively concluded, it would not have sufficient clarity to consider what further action would be necessary. The issues of increasing recycling rates across England and energy from waste capacity and management may be something a

32 Oral evidence given on 10 September to Defra’s responsibility for fracking inquiry, HC 589
33 Oral evidence from the Prime Minister given to the Liaison Committee on 16 December 2014, HC 887
34 See Clause 50 Infrastructure Act 2015. Oral evidence given on 10 March to Defra’s responsibility for fracking inquiry, HC 589
35 Letter from Parliamentary Under-Secretary of State for Water, Forestry, Rural Affairs and Resource Management, Defra, dated 6 November 2013 to stakeholders
37 European Commission Communication, Towards a circular economy: zero waste programme for Europe, July 2014
future Committee wishes to pursue, not least because our recent recommendations to a large extent remain unanswered by the current Government.

**Hazardous Waste National Policy Statement**

25. Defra published the draft National Policy Statement (NPS) for Hazardous Waste for consultation on 14 July 2011, which would form the basis of the Infrastructure Planning Commission’s consideration of applications for large scale hazardous waste infrastructure once the final NPS was designated in July 2013.\(^{39}\) We carried out scrutiny of the draft NPS and concluded that it needed further amendment owing to ambiguities and inconsistencies that risked a level of uncertainty for developers and decision-makers. We also found the sections on Environmental Permitting and flooding unsatisfactory and urged Defra to take a more proactive approach to educating the public about the need for, and the benefits of, hazardous waste infrastructure.\(^{40}\) We were disappointed that the Government did not accept some of our recommendations, particularly in relation to safeguards for flood zones and flood protection.\(^{41}\)

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\(^{39}\) Note: In April 2012 the Infrastructure Planning Commission was abolished under Localism Act 2011 provisions, and replaced with the National Infrastructure Directorate of the Planning Inspectorate


3 Food

26. Commensurate with its central role in Defra’s remit, food policy is a common theme underpinning a great deal of our work during this Parliament. We have addressed a plethora of related issues including the security of the UK’s food supplies and food production issues, food safety, and fisheries.

Food security

27. Although the UK currently enjoys a high level of food security, it faces challenges from future changes in weather patterns and the changing global demand for food. In the past year we have conducted two inter-linked inquiries into the actions the Government and food production sector need to take to ensure the nation’s future food security, as well as the actions consumers can take and how demand can be managed to ensure all have access to safe, affordable and healthy food. Our Food security report, addressing production issues, recommended that supermarkets shorten their supply chains; that more food be produced per hectare of land in a sustainable way including through better use of technology; and that plans need to be in place for alternative animal feed in the event of increases in global demand threatening the affordability of UK supplies.42 The report flagged up strategic issues which a future Committee may wish to monitor, such as the level of UK self-sufficiency in the light of the fact that currently only 68% of the nation’s food supply is produced in the UK. We welcome Defra’s efforts to promote consumption of UK products by UK consumers as well as to increase exports to countries such as China. We also looked at genetic modification (GM) technology and its ability to import desirable traits into a plant, but acknowledged that the Government must address consumers’ concerns about the implications of GM, using science to counter food safety fears. This is a developing issue with new approaches emerging from the EU since we reported. In future Member States will have more freedom to determine their own approaches to allowing or banning the use of GM crops in their countries. This is an issue which may warrant future scrutiny of Defra policies.43

28. Our Food security: consumption, demand and waste report focused on the impact of myriad choices consumers make every day over what food to buy and from where to buy it.44 A key government objective should be to harness these choices to deliver public policy goals, such as a healthy population and reduced environmental impacts through sustainably grown products and lower levels of waste. Our Committee also heard evidence on food affordability and its link to the expanding food aid sector. Factors identified as affecting food affordability included rising global prices and pressure on household incomes. Defra should appoint a Food Security Co-ordinator, with a remit including spurring a step-change in the redistribution of surplus food to those in need. Future issues

43 See Europa website for more information on EU proposals to come into force in spring 2015
44 Environment, Food and Rural Affairs Committee, Sixth Report of Session 2014–15, Food security: demand, consumption and waste, HC 703
for scrutiny include progress in reducing food waste from its current annual level of 15 million tonnes against a background of budget constraints for bodies such as the Waste and Resources Action Programme, and action by retailers to promote choices of healthy, affordable and sustainably produced food.

**Food safety**

29. One of the major topics impacting upon our work this Parliament has been the safety of the UK's food supply networks. Our initial scrutiny was triggered by the horsemeat scandal but we subsequently broadened our work to consider wider aspects of the integrity of food supply networks.

**Food contamination**

30. On 15 January 2013 the Food Standards Authority (FSA) announced that FSA Ireland had found horse and pig DNA in a range of ostensibly entirely beef products on sale at several supermarkets. The following day we announced an inquiry into the Contamination of beef products, which reported in February 2013. We were concerned that food safety and hygiene were more likely to be compromised if the authenticity of food could not be assured. We argued that all parts of the food supply chain had a responsibility to ensure the safety and authenticity of their products. The Government agreed: its response stated that the primary responsibility for the quality of food products and their accurate labelling lay with the food businesses that supplied them.

31. We held a follow-up Food Contamination inquiry to consider the testing of processed and frozen beef products sold in the UK. We noted that more than 99% of products tested were found to be free of horse DNA. However we also noted that in separate, EU-mandated tests for the presence of the drug phenylbutazone (known as bute) in horses slaughtered for food, the UK had the largest number of positive results. We recommended that the Government work with the EU to ensure the introduction in every Member State of a single national database for the issuing of horse passports to help combat fraud.

**Elliott Review: food supply networks**

32. Defra commissioned Professor Chris Elliott of Queens University, Belfast and Director of the Institute for Global Food Safety, to examine and make recommendations on the integrity and assurance of food supply networks and to consider issues which might impact upon consumer confidence in the authenticity of food products. Interim conclusions were published in December 2013, and a final report was published in July 2014. In both

45 Food Standards Agency, 'Timeline on horse meat issue', accessed 17 March 2015
46 Environment, Food and Rural Affairs Committee, Eighth Report of Session 2012–13, Contamination of Beef Products, HC 946
47 Environment, Food and Rural Affairs Committee, Seventh Special Report of Session 2012–13, Contamination of Beef Products, HC 1085
49 HM Government, Elliot Review Interim Report, December 2013
reports Professor Elliott considered the role of the FSA and the ability of public laboratories to test for food authenticity, auditing and information-sharing within the industry. Professor Elliott discussed his interim findings with us in January 2014,\(^{51}\) and his final conclusions in November 2014.\(^{52}\) On both occasions we examined the diminished role of the FSA following machinery of government changes in 2010. These changes divided responsibilities between the FSA, Defra and the Department for Health, and arguably reduced the UK’s ability to horizon scan and identify possible food authenticity or health concerns because of poor co-ordination between departments and lack of clarity on the division of responsibilities.

33. The Government’s September 2014 response accepted all the recommendations made in Professor Elliot’s final review: this included the creation of a Food Crime Unit (FCU) within the FSA and a cross-government group on food integrity and food crime.\(^ {53}\) The first prosecution for horsemeat contamination took place in January 2015.\(^ {54}\) The FSA estimated that the FCU would cost £1.5 million in 2014–15, rising to £2 million for the first, two-year phase. The FSA is expected to maintain the FCU from within its existing resources. However, by the end of 2015–16, the FSA’s overall budget will have been reduced by £22 million since the start of the horsemeat problem in early 2013.\(^ {55}\) We are concerned that taking the FCU beyond the first stage of development would stretch the FSA’s current budget and resources. A future Committee may wish to consider further the remit of the FSA. Furthermore, an update on the FCU’s progress and the work of the new cross-government group could be sought. In particular any expansion of the FCU would be challenging given the reducing budget of the FSA. We took further evidence in February 2015 from FSA Chief Executive, Catherine Brown, who reiterated that a full costing exercise had yet to be completed and that risks from food fraud and contamination, remained one of the FSA’s major challenges.\(^ {56}\)

**Desinewed meat**

34. We launched an inquiry in April 2012 as a response to the moratorium on the production and use of desinewed meat (DSM) issued by the EU.\(^ {57}\) The moratorium had an immediate negative effect on this part of the UK meat industry. This was not an issue of food safety, and there was no public health concern about DSM: it was an issue of food product labelling.

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51 Oral evidence given on 8 January 2014 to the Elliot Review inquiry, HC953  
52 Oral evidence given on 18 November 2014 to the Food supply networks inquiry, HC 771  
55 Food Standards Agency written evidence linked to oral evidence session on 18 November 2014, for Food Supply Networks inquiry, HC 771 (FSN 0001), para 9  
56 Q 224  
57 Environment Food and Rural Affairs Committee, Fifth Report of Session 2012–13, *Desinewed meat*, HC120
35. We considered the actions of the Commission to be heavy-handed and disproportionate and recognised that individual businesses were suffering huge losses with no warning or chance to prepare. An October 2014 ruling by the European Court of Justice confirmed that DSM could not be sold under this label in the UK: instead the product should be labelled as mechanically separated meat.

36. Our inquiry criticised the FSA for a lack of political awareness. The moratorium came as a surprise: the Authority failed to prepare or to protect the UK meat industry. The Government’s response to our *Desinewed meat* report stated that the FSA had worked hard to mitigate the impact of the moratorium and that it did not believe there was an alternative course of action that the Agency could have followed.58 However, a future Committee may wish to consider the Government’s effectiveness in influencing the policies of EU bodies such as the Health and Food Safety Directorate.

**Fisheries**

*Common Fisheries Policy*

37. We considered fisheries issues in 2011 with specific regard to domestic fisheries management,59 and again in 2012 with a wider look at the EU’s proposals for reform of the Common Fisheries Policy (CfP).60 During the former inquiry, fishermen told us of their frustration with a number of aspects of the operation of the quota system used to determine how much fish vessels are permitted to catch, including the reallocation of unused quota. We were critical of Defra’s failure to address quota management effectively, a short-coming which we considered had led to many members of the inshore fleet being disadvantaged. Defra’s response recognised that there was uncertainty and a lack of transparency and flexibility in the management system.61 Its response to its own 2011 consultation on reform stated that tackling the difficulties facing those operating smaller vessels (those under 10 metres long) in the English fleet remained a key priority, but the Department did not then take forward some of its own proposals. Instead it has piloted a method of allocating quota to local community groups.62 We came back to this issue this January, in an evidence session with the Marine Management Organisation (MMO).63 It was clear from their evidence that quota management remains a contentious topic for many parts of the fishing industry.

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63 Q 1-80
Any assessment a future Committee undertakes into fisheries management will take place in the context of the implementation of the substantial reform of the CFP which has taken place since 2014. Key developments include a ‘landing obligation’ (sometimes referred to as a ‘discard ban’) under which fish caught must be landed, and a promise of more regionalised approaches to fisheries management. Our EU proposals for reform of the Common Fisheries Policy report criticised centralised micro-management by the European institutions, so we welcome the reforms as a step in the right direction.64 However, whilst some initial progress has been made, devolution of decision-making to regional Member States is still at an early stage. We expressed reservations about the landing obligation since it could simply shift “unwanted fish in the sea to unwanted fish on land”. We wanted a delay in the ban to 2020 to allow time for groundwork for effective implementation to be done. A future Committee may wish to assess whether the pelagic landing obligation now in place and the proposed demersal one to come into force from 2016, work effectively to end the wasteful catching of fish that are subsequently not put to good use. We support sustainable fishing but raised in our report the concern that the 2015 target for raising stocks of fish to above the levels that can produce a ‘Maximum Sustainable Yield’ was not achievable. Future work programmes may wish to consider how effectively EU decision-making about the appropriate levels is supported by scientific evidence and how well this is translated into the quotas allocated to UK fishermen.

64 Environment, Food and Rural Affairs Committee, Twelfth Report of Session 2010–12, EU proposals for reform of the Common Fisheries Policy, HC 1563-i
4 Rural issues

39. A broad swathe of policy issues come under Defra’s rural affairs remit and during this Parliament we have scrutinised a range of agriculture and food production and supply issues, alongside rural community issues such as rural broadband provision.

Agriculture

Common Agricultural Policy

40. It would be hard to overstate the importance of the EU’s Common Agricultural Policy (CAP) for the UK’s agriculture, rural economy and environment. But CAP is not a static set of regulations: since its inception in 1962, CAP has been subject to considerable amendment, with the latest version coming into effect in 2014, to apply until 2020. In our CAP after 2013 inquiry published in 2011 we scrutinised the thrust of the proposed changes in order to influence the Government’s negotiating stance ahead of EU final decisions. We were unconvinced that any of the EU options then on the table offered the UK a “good deal” and noted that, at a time of rising populations and pressures on production such as climate change, CAP needed to focus more than ever on food security. Unimpressed by the Department’s handling of negotiations thus far, including representing a unified UK view, we urged Defra to engage actively to ensure the reformed CAP encourages more competitive, productive and sustainable UK agriculture whilst at the same time enhancing the nation’s physical and cultural landscapes. We shared Defra’s ambitions that a reformed CAP should reduce direct subsidies for food production, but were cautious about simply reducing these unless Defra could set out clearly how farmers could be self-supporting with rising input prices and greater competition from third countries.

41. When, in 2013, we subsequently examined the Government’s plans for translating the new CAP into English policy we found elements to support. Our Implementation of the Common Agricultural Policy in England 2014–20 report welcomed some of the Government’s proposals such as the intention to raise the minimum claim threshold to five hectares and to move money in Pillar I to increase the support for upland farmers. However, we raised concerns about specific aspects of implementation, such as the need to ensure tenants receive appropriate CAP payments in respect of the common land they farm. Our successor Committee may wish to review the Government’s progress in tackling current practical problems with identifying accurately both contractual and rights in perpetuity over common land. It may also wish to assess the Government’s success in implementing a mechanism for resolving disputes between tenants and landowners over

claims. We were also critical of aspects of the EU’s ‘greening’ proposals and the UK implementation of them.

**Greening the CAP**

42. The overarching conclusion in our *CAP after 2013* report was that introducing green measures into Pillar 1 as a compulsory precondition for qualifying for CAP payments would risk creating complexity in implementation without delivering tangible benefits. A greater emphasis on sustainable farming could be derived through incentives rather than farmers being “stifled by regulation”. This followed up concerns in our 2012 report on *Greening the Common Agricultural Policy* that the EU Commission’s commendable objective of improving the environmental contribution of CAP was unlikely to be achieved by its current approaches.\(^{67}\) Whilst much of the detail on the proposals has only emerged in recent months, we noted in 2012 that, given Europe’s range of environmental challenges, a single set of prescriptive rules were unlikely to deliver the desired improvements. We considered that the UK has led Europe in taking a holistic approach to environmental protection, with the nation’s agri-environment schemes established under the previous CAP “among the best in Europe at delivering meaningful environmental benefits”. Our 2013 report on *Implementation of the Common Agricultural Policy in England 2014–20* also cautioned that any loss of access to agri-environment scheme funding for those farming in the harshest of environments could leave them worse off overall.

43. Nevertheless, since English farmers lag behind their main European competitors in levels of direct payment, leaving them less able to invest and innovate, we recommended that the Government maintain a CAP transfer rate of 9% from the Pillar I budget to environmental and rural development schemes funded in Pillar II. We recommended that the Government moved to 15% in 2017 only if it could demonstrate that additional funds were required and there was a clear benefit from the projects proposed.

44. Under the new CAP, Countryside Stewardship Schemes replace agri-environment schemes: farmers can apply for these from this year for commencement in 2016.\(^ {68}\) It is too early to judge how the new countryside stewardship approaches will work to protect and enhance the environment whilst balancing the needs of those managing and using the countryside, but in due course a future Committee may wish to assess their impact.

45. A general concern, shared by both the UK Government and many other Member States and highlighted in our scrutiny over the years of the new CAP, was that the scheme is overly “complex and burdensome”. The recently appointed EU Agriculture Commissioner, Phil Hogan, has stated that CAP simplification is his aim.\(^ {69}\) Successor Committee scrutiny may wish to focus on how effectively Defra keeps up the pressure on Brussels to deliver this objective. Alongside this overarching concern we have highlighted through a number of

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\(^{69}\) See for example European Commission [press release](https://ec.europa.eu/commission/presscorner/fr/pr/140607), *Simplification a top priority in 2015*
inquiries and correspondence with Defra our concerns about specific aspects of CAP policies and their implementation in England. For example, the definition of an ‘active farmer’ is unhelpful—a matter which the current Secretary of State has undertaken to pursue in Brussels so as to make the test optional for Member States. Crop diversification and permanent grassland measures, hedge-trimming requirements, the mapping of boundaries and the application of Ecological Focus Area requirements are all detailed issues to which CAP applies blunt instruments yet they have sharp consequences on the ground for England’s farmers. Defra has achieved some welcome successes on the detailed implementation of the new CAP, such as securing a derogation in certain circumstance from the ban on trimming hedges in August⁷⁰. However we have argued for more tailored approaches to be permitted for CAP delivery at national level; a position that gained much support across other Member States but ultimately has yet to be realised effectively in EU policy. In scrutinising future CAP policy, a future Committee may well wish to assess Defra’s success in negotiating the right solutions for the UK.

**Farming regulation**

46. The Government has placed much stock in its deregulation agenda, with a specific focus on reducing regulation of farming through the Red Tape Challenge agricultural theme,⁷¹ and through the *Independent Farming Regulation Task Force* led by Richard Macdonald.⁷² The Government accepted 159 of the Task Force’s 200 recommendations on a range of issues from reducing the farm inspection regime through a system of ‘earned recognition’, to simplifying environmental messages to farmers. We took evidence from Mr Macdonald in June 2012,⁷³ and again in February this year to review progress on implementing his Task Force’s recommendations.⁷⁴ Whilst it is clear that the Government has now started to make good progress on reducing the regulatory burden for farmers, many issues remain to be resolved, in particular translating into practice the good intention to reduce the number of inspections whilst still meeting strict EU CAP compliance rules. A review in the medium to longer-term of progress on reducing regulatory burdens on farmers, including on developing effective ‘earned recognition’ approaches that deliver genuine cost reductions, would be worthwhile.

**Farming in the Uplands**

47. The income levels of England’s farmers, particularly smaller-scale farmers, including those who are tenants rather than owners, has been a running theme throughout our work in this Parliament. The economic and technological pressures facing hill farmers formed the basis of our 2011 report on *Farming in the Uplands*, with falling incomes and the need

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⁷³ Oral evidence given on 13 June 2012 to the *Independent Farming Regulation Task Force* inquiry, HC 308
⁷⁴ Q166–218
to maintain upland farmland for farming rather than diversified activities the key themes.\textsuperscript{75} One of our final reports, on *Dairy Prices*, this year dealt with the significant difficulties presently facing dairy farmers, not just in the United Kingdom but across the European Union.\textsuperscript{76} Milk prices, in particular, had fallen to levels unsustainable for many small operators by Christmas 2014. Although the long-term prospects for the dairy industry remain positive, a series of frequent and very sharp rises and falls in milk prices had made investment and planning decisions very difficult, and especially so for small-scale farmers unable to withstand recurring collapses in their income. We recommended a package of measures including greater emphasis on export potential and farmers working together to increase their market clout.

48. This built, to some extent, on work previously done in 2011, when our report on *EU proposals for the dairy sector and the future of the dairy industry* examined EU measures intended to stabilise a volatile sector.\textsuperscript{77} The success of that milk package has been mixed: more has been done to identify the problems dairy producers face in a difficult worldwide market than to address the structural problems of the UK’s (and others’) dairy industry. While we scored a significant success in prompting the Government to examine whether the interests of small-scale dairy producers needed better protection under the Groceries Code Adjudicator regime introduced during the present Parliament, it is beyond doubt that the changing shape of the dairy industry—now containing fewer than 10,000 farmers in England for the first time—will remain high on the next Government’s agricultural agenda. A future Committee may wish to press the Government to review the Adjudicator’s remit at the earliest possible opportunity in the next Parliament, so as to extend her powers to farmers supplying major retailers indirectly as well as to allow her more freedom to launch investigations on her own initiative.

**Rural communities**

49. This Parliament has seen a change in the organisational architecture for development of rural policy, with the abolition of the Commission for Rural Communities in 2013 and an enhanced role for the Rural Communities Policy Unit (RCPU) in supporting Defra Ministers who would, it was announced in June 2010, in future lead rural policy from within the Department. We examined how effectively the RCPU was acting as the planned centre of rural expertise, supporting and co-ordinating activity within and beyond Defra, to ensure fair, practical and affordable outcomes for rural residents, businesses and communities.\textsuperscript{78} We concluded that too often Government policy had failed to take account of the challenges that existed in providing services to a rural population that was often sparsely distributed and lacked access to basic infrastructure. For example, rural communities pay higher council tax bills per dwelling, receive less government grant and

\textsuperscript{75} Environment, Food and Rural Affairs Committee, Third Report of Session 2010–12, *Farming in the Uplands*, HC 556

\textsuperscript{76} Environment, Food and Rural Affairs Committee, Fifth Report of Session 2014–15, *Dairy prices*, HC 817

\textsuperscript{77} Environment, Food and Rural Affairs Committee, Eighth Report of Session 2010–12, *EU proposals for the dairy sector and the future of the dairy industry*, HC 952

\textsuperscript{78} Environment, Food and Rural Affairs Committee, Sixth Report of Session 2013–14, *Rural Communities*, HC 602
have access to fewer public services than their urban counterparts. We urged the Government to reduce the disparity in local government finance settlements that were unfair to rural areas in comparison with their urban counterparts. To grow the rural economy in line with Government ambitions, rural businesses need better access to finance, more affordable housing and better rural broadband connectivity. We noted that many of the most valuable initiatives had started within rural communities themselves and we supported Government efforts to devolve more powers to local communities. We welcomed the Government’s Rural Statement which represents a contract with rural areas, so they can hold the Government to account. A future Committee may also wish to hold the Government to account on its delivery to rural communities against this contract and against the RCPU’s ability to ensure all government departments rural-proof their policies.

Rural broadband

50. Rural connectivity has been an important issue for us, covered initially in our broad-ranging Rural Communities inquiry and again with this year’s inquiry into Rural broadband and digital-only services.79 While pleased that ensuring all areas have adequate connectivity is high on the Government’s agenda, we were disappointed to find that rural areas have consistently poorer provision than urban areas since investment in the necessary infrastructure is lagging behind in rural areas.

Rural broadband and digital-only services

51. The Government has committed to ensuring universal broadband to a standard of 2 Megabits per second (Mbps) for virtually everyone by 2016. This goal is being achieved through the rural broadband programme coordinated by Broadband Delivery UK (BDUK)—a Department for Culture, Media and Sport body. The Government has also introduced the superfast extension programme, which aims to deliver superfast broadband to 95% of premises by 2017. The availability and speed of broadband is particularly important as the Government moves towards digital-only delivery of many services, including CAP payments to farmers. We decided to look into this subject because we were concerned that the Government’s move towards ‘digital-by-default’ services was based on an incorrect assumption that universal access to basic broadband had been achieved.80 We investigated current broadband coverage, the technology being used to deliver broadband, and digital-only services such as the new CAP payments. The focus of the inquiry was on those in the hardest-to-reach areas. We were concerned that BT considered that the present target of 95% of premises receiving superfast broadband by 2017 may slip. Furthermore, national figures for broadband coverage disguise considerable local variation with some rural areas experiencing far lower levels of coverage than the national average: for example 16 constituencies still have zero superfast coverage.81 We are confident that

79 Environment, Food and Rural Affairs Committee, Seventh Report of Session 2014–15, Rural broadband and digital-only services, HC 834
80 As above
access to broadband is increasing but not enough is being done to ensure that the hardest-to-reach are not overlooked. A competitive rural economy requires effective broadband and mobile phone services. A future Committee may want to return to the subject of rural connectivity, looking in particular into whether coverage targets are achieved or indeed whether new technologies have been introduced to enable hardest-to-reach areas to get online effectively.

**Canal and River Trust**

52. Early in this Parliament the Government announced that it proposed to legislate for the functions of British Waterways to transfer to a new body. The Canal and River Trust was subsequently launched in 2012 to take over British Waterways’ functions and assets, including some 2,000 miles of canals and rivers in England and Wales. The Trust is scheduled in due course to take over the EA’s navigations, although the timescale for this has slipped because of economic circumstances. A key issue for our scrutiny of the proposed Orders for the transfer was the future funding model, including the impact on waterways and towpath users. The new body is a charity but on transfer received 15 years advance funding from Defra. None the less, we received evidence from waterways’ users concerned about potential licence fee increases and from those concerned about the Trust’s potential use of its property assets for income generation. We have not had the opportunity during this Parliament to revisit the issue in detail and a successor Committee may wish to do so to assess how effectively the new Trust is able to balance the interests of all users of the waterways.

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83 In July 2013 the then Defra Minister, Richard Benyon MP, stated that the review of the transfer of Environment Agency navigations scheduled for 2013–14 would be deferred until economic circumstances allowed. HC Deb, 3 July 2013, col 54WS

84 See the Committee’s inquiry webpages on the draft British Waterways Order 2012
53. We have undertaken a series of inquiries on animal issues over the course of this Parliament, focusing on the need to ensure appropriate welfare standards for a range of species, whether wild, domesticated or farmed.

**Vaccination against bovine TB**

54. Tuberculosis in cattle is one of the biggest challenges facing UK farming. Herds must be regularly tested and infected cattle must be slaughtered. In 2012 alone it is estimated that 1% of the dairy herd was slaughtered owing to bovine TB. Amidst the controversy of methods to limit the spread of the disease such as culling badgers, we inquired into the extent to which vaccination of cattle and/or badgers might contribute to the control and eradication of bovine TB. EU rules currently prohibit cattle vaccination, but Defra applied in 2012 for in-principle marketing authorisation for a bovine TB vaccine to protect cattle. Lengthy field trials are required before the EU will consider amending current rules to allow vaccination to take place. We urged the Government to do all it can to condense the indicative 10-year timetable suggested by the European Commission. We also noted that the vaccine would increase financial and administrative burdens on the industry without immediately solving the problem since vaccination cannot guarantee cattle will not become diseased, nor can it help already-infected animals. Defra has stated that before cattle vaccination field trials can be contemplated a better ‘DIVA’ test (to identify infected cattle among vaccinated cattle) must be developed. The Department expects this to take a further two years.

55. An injectable vaccine for badgers has been available since March 2010, but questions remain about its efficacy, and further field research is required. For it to be effective a significant number of badgers need to be trapped and vaccinated, over many years. We called on the Government to continue to research methods to determine whether badger social groups carry infection in order to better target deployment of the vaccine and recommended Defra produce a clear strategy for its use. Overall we concluded that for too long the Government’s strategy for dealing with bovine TB had been reactive, following the spread of infection. The Government needs a strategy that will jump ahead of infection: cattle vaccination may allow it to do that in the future but for now increased bio-security and rigorous movement controls are vital. It will be no good vaccinating badgers to create a firewall against the spread of infection only for it to be compromised by movement of infected cattle. We recommended in our report on Defra performance in 2013–14 that Defra clarifies its plans for badger culling from 2015 onwards, including setting out any changes to improve effectiveness following the failure of the Gloucestershire culling pilots to meet the licence conditions for the minimum number of badgers removed. We also

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86 HC Deb, 18 December, col 126WS
urged continued monitoring and reporting on the effectiveness of the badger culling pilots. A future Committee may wish to examine progress on methods to limit the spread of bovine TB including the use of badger and cattle vaccines and of culling.

**Dog control and welfare**

56. The UK is said to be a nation of dog lovers, with some 8 million canine pets, yet more than 100,000 strays are found each year, incidence of cruelty and neglect has risen and a large number of dogs are out of control due to the irresponsible or deliberate actions of a minority of owners. We reported in February 2013 on general Dog Control and Welfare issues, and, separately, conducted pre-legislative scrutiny on the dog control measures to be incorporated in the Anti-social Behaviour, Crime and Policing Act 2014. We were critical of inaction by successive governments. At the time of our inquiry seven people, including five children, had been killed by dogs since 2007 and this toll has since increased. We urged action in several respects including the closing of the loophole in the Dangerous Dogs Act 1991 so that a person whose dog attacks someone in a private place would be subject to prosecution in the same way that prosecution was possible for attacks in public places. We welcomed the Government’s inclusion of measures in the Act to achieve this aim as well as measures in response to our concerns that there must at the same time be appropriate protection from prosecution for those whose dog attacks an intruder in their home. We further welcomed the clause included in response to our pre-legislative scrutiny to equate an attack on an assistance dog, such as a guide dog, with an attack on a person.

57. Our report welcomed moves for compulsory microchipping of puppies due to come into force in April 2016 but this is not a panacea. The final dog control legislation has not incorporated the Dog Control Notices which we considered would give law enforcers the necessary specific powers to tackle aggressive dogs before they injure people. Nor does it reflect the demands on local authority dog warden services of dealing with growing numbers of stray animals at a time of pressure on council budgets. We were also concerned that the Government had missed a valuable opportunity to use new legislation to link dog breeding and welfare issues with dog control measures. Breeders may currently breed up to five litters a year (equating possibly to some 40 puppies) without being licensed: this should be reduced to two litters per year to limit the number of poorly bred and reared puppies which can grow up to become aggressive dogs. More needs to be done to stop the online sale of puppies and to tackle the health problems linked to some poor pedigree-breeding practices. Future Committee scrutiny could usefully assess the extent to which the Government’s approaches go far enough or whether we now need the consolidated dog control and welfare legislation for which we called.

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Horse welfare

58. Increasing concern from the National Farmers’ Union, the RSPCA and others about the welfare of horses kept on open land led to us holding an evidence session on fly-grazing.90 The term describes the practice of leaving horses to graze on public or private land without the permission of the owner or occupier of the land. As well as contributing to poor horse welfare, this can create social, economic and environmental problems in affected communities. Additional issues of public safety may arise if fly-grazed horses stray on to public highways or other hazardous sites. Our evidence session raised public awareness of the problem and explored possible solutions to what is perceived to be a growing problem. Defra Parliamentary Under-Secretary of State, Lord de Mauley, subsequently informed us that the Government supported Julian Sturdy MP’s Private Members’ Bill on the Control of Horses (England) 2014 which introduces several important changes to help tackle fly-grazing.91 The Bill was passed by the House of Commons in January and it includes proposals to shorten the time it takes to rescue abandoned horses from over two weeks to just 96 hours. If passed, the measures will extend the protection of the law to horses on private as well as public land, and will also allow rescued horses to be gifted to animal welfare sanctuaries for the first time.92 This is a positive outcome for horse welfare and we commend the Government’s approach.

Wild animals in circuses

59. We scrutinised a draft Bill proposing a ban on the use of wild animals in circuses, and recommended in July 2013 the less proscriptive approach of listing those animals that could not be used rather than banning all use.93 The Government has not since advanced the draft Bill, although Jim Fitzpatrick MP, coincidentally a member of the Committee, has independently sought, albeit unsuccessfully, to progress it as a Private Members’ Bill.94 Few travelling circuses now include wild animals in their acts, but the question whether the practice should be banned is likely to arise again during the course of the next Parliament.

Primates as pets

60. In June 2014, we considered the case for banning the keeping of primates (including, for example, marmosets, tamarins and capuchin monkeys) as pets.95 In the absence of any accurate estimate of how many primates are currently so kept, we concluded that the case for a ban could not be made unless and until research was done to establish accurate figures. We called, however, for the Government’s planned review of the code of practice

90 Oral evidence given on 3 September 201 to Horse welfare inquiry, HC 546
91 Letter from Miss Anne McIntosh MP dated 10 September 2014 and reply dated 30 October 2014 from Lord de Mauley.
93 Environment, Food and Rural Affairs Committee, Fourth Report of Session 2013–14, Wild Animals in Circuses, HC 553
94 Wild Animals in Circuses Private Members’ Bill
95 Environment, Food and Rural Affairs Committee, Eleventh Report of Session 2013–14, Primates as pets, HC 984
relating to privately kept primates to be conducted immediately, rather than later in 2015, as planned. The Government rejected that call, and a review of the code should therefore take place later this year.96 We called for that review to produce a revised code containing information sufficiently detailed and specific to enable private keepers to meet the welfare needs of their animals and to understand what is required under existing animal welfare legislation. A future Committee may wish to contribute further to the planned code revision.

96 Government response, to Environment, Food and Rural Affairs Committee Report of Session 2013–14, Primates as pets, HC 984
6 Conclusion

Key achievements

61. It is heartening that many of the recommendations in our reports have been accepted by the Government, in whole or in part, and that action has resulted in a number of respects. It is particularly welcome to note the impact of our work in responding at short notice to crises such as the floods of winter 2013–14, contamination of meat, the emergence of tree diseases, and financial pressures on the dairy industry. Key points where action has resulted from our work include: specific recommendations on the draft Water Bill being incorporated in the final legislation; increased investment in flood defences; improving the profile of the importance of flood defence maintenance funding; and improved dog control legislation. More broadly, the focus of our cross-party political scrutiny, and the attendant raising of public awareness, on issues across Defra’s remit has brought pressure to bear on the Government over this Parliament to deliver on its plans and to ensure they best meet the needs of interested parties. We hope this has helped to ensure effective policies from CAP to CfP and from animal welfare to environmental protection.

Key areas for follow-up

62. None the less, there are a range of areas where insufficient action has been taken on our recommendations, including on some recommendations which the Government had accepted in full. For example, there have been warm words from Defra about the role that can be played in improving policy through more explicitly valuing natural capital and the services provided by our environment to supply clean air, water and robust food supplies. This was an approach we endorsed. We made specific recommendations on how to put this into action. But it is not clear that Defra has yet persuaded Ministers across the rest of government to take up the challenge and the broad intentions of the Natural Environment White Paper have yet to translate into actions that will transform the way in which we protect and enhance the natural environment.

63. As discussed above, we would also encourage a future Committee to follow up on some key recommendations in our Report on Waste management in England which were not satisfactorily addressed because of concurrent discussions at a European level. By the end of the year, once EU negotiations on any new waste proposals have substantively concluded, Defra should have sufficient clarity to provide a future Committee with an update on what further action (if any) will be necessary.

64. The unfolding implementation of the new CAP will be a key issue impacting on a wide range of interested parties, not only farmers and landowners who have to manage the outcomes of policy decisions on the ground but also the wider public enjoying the countryside and the benefits of a healthy natural environment. Future Committee scrutiny could usefully focus not only on the practical aspects of introducing a complex new system of CAP payments, including for new countryside stewardship measures, but on the
Government’s work to influence EU policy in Brussels. The new CAP will not be static: Commissioner Hogan promises reform, and the UK must ensure it influences this process from the outset. A future Committee may wish to press Defra to identify clearly the priorities they will be pursuing with the Commission ahead of its 2017 review. A follow-up review of the role of the Groceries Code Adjudicator in light of our recommendations might be welcomed by dairy farmers and the wider industry who have heard the Government express a willingness to consider action to ensure the effective operation of supply chains.

65. On rural issues, as discussed above, we would encourage a future Committee to continue scrutiny of the progress with rural broadband coverage and indeed rural connectivity in general. The Government and industry have promised a range of coverage targets to ensure broadband and superfast broadband across the country, but no date has yet been set for the achievement of universal superfast broadband coverage. A future Committee may wish to compare the improvements which the broadband rollout has achieved in urban areas with those achieved in more rural parts of the country. We fully support improving connectivity in urban areas but this should not be at the cost of rural areas.

66. A wider example of insufficient action relates to our recommendations concerning Defra’s planned expenditure in light of the impact of the 2010 Spending Review. Defra has been required to make a 16.7% real terms reduction in resource expenditure during the course of this Parliament and we raised concerns regarding the lack of transparency about what this meant for policy delivery each year. Our concerns on this issue have not been satisfactorily addressed during this Parliament. In order to enable proper scrutiny of expenditure, we would urge a future Committee to continue to push for as much detail and transparency as possible in the event of any future Departmental budget cuts. Underlying our concerns during this Parliament has been the eroding of Defra’s capabilities to achieve its goals and to pursue successfully its agenda beyond departmental boundaries, whether across Whitehall or in Brussels. Future scrutiny of individual policies must bear in mind the need for maintenance of sufficient expertise inside the core department and a firm Ministerial lead on the environmental, rural and agricultural agenda.

**Taking scrutiny forward**

67. The majority of issues we have addressed require ongoing action, not simply one-off responses. To support a future Committee in its scrutiny it would be helpful if Defra produced an update to the Government response to each of our reports, one year on, in order to provide Parliament with information on the Department’s progress in implementing our report recommendations.

68. Although our work programme has touched the vast majority of Defra’s responsibilities in some respect, we have not had the opportunity to address all areas and some topics we have been able to touch upon only briefly, despite their importance. For example, we have not considered as a separate issue the contribution of farming to climate change mitigation or areas of waste policy outside of the management of municipal waste,
nor have we had the opportunity to spend much time looking in depth at air quality matters. We have also not carried out separate inquiries on key policy areas such as biodiversity offsetting and marine conservation, although they have been briefly examined as part of our annual review of Defra’s performance.

69. A future Committee will of course face the same pressures as we have faced in attempting to cover the breadth and depth of Defra’s work in a limited time. Further, with the Department responsible for handling emergency issues such as flooding, animal and plant disease and food security, crises are likely to emerge suddenly which will demand the Committee’s attention but which also add pressure to a stretched work programme. We hope that this review will aid our successors in compiling a challenging and effective work programme for a new Parliament. We wish them every success in their task.
Formal Minutes

Tuesday 17 March 2015

Members present:

Miss Anne McIntosh, in the Chair

Richard Drax
Jim Fitzpatrick
Mrs Mary Glindon
Mrs Emma Lewell-Buck
Sheryll Murray
Neil Parish

Draft Report (Work of the Committee: 2010–15), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 26 read and agreed to.

Paragraph 27 read.

Amendment proposed, to insert on page 18, para 27, line 22, after “waste”: “Our Committee also heard evidence on food affordability and its link to the expanding food aid sector. Factors identified as affecting food affordability included rising global prices and pressure on household incomes resulting from wage pressures, benefit delays and sanctions.”—(Mrs Emma Lewell-Buck.)

Question put, that the Amendment be made.

The Committee divided.

Ayes, 3
Jim Fitzpatrick
Mrs Mary Glindon
Mrs Emma Lewell-Buck

Noes, 3
Richard Drax
Sheryll Murray
Neil Parish

Whereupon the Chair declared herself with the Noes.

Question accordingly negatived.

Amendment proposed to insert on page 18, para 27, line 22, after “waste.”: “Our Committee also heard evidence on food affordability and its link to the expanding food aid sector. Factors identified as affecting food affordability included rising global prices and pressure on household incomes.”—(Miss Anne McIntosh.)

Question put, that the Amendment be made.

The Committee divided.

Ayes, 5
Richard Drax
Jim Fitzpatrick
Mrs Mary Glindon

Noes, 1
Mrs Emma Lewell-Buck
Question agreed to.

Paragraph 27, as amended, agreed to.

Paragraphs 28 to 69 read and agreed to.

Resolved, That the Report be the Ninth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Written evidence from Natural England was ordered to be reported to the House for publication on the internet.

***

[Adjourned till Wednesday 25 March at 2.30 pm]
Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the Committee's inquiry page at www.parliament.uk/efracom.

Wednesday 21 January 2015

Sir Bill Callaghan, Chair, John Tuckett, Chief Executive Officer, Andrew Beattie, Acting Chief Executive Officer, Kevin Williamson, Head of Statistics and Analysis, Marine Management Organisation

Wednesday 4 February 2015

Dr Paul Leinster CBE, Chief Executive, and Sir Philip Dilley, Chair, Environment Agency

Wednesday 11 February 2015

Richard Macdonald, Former Chair of the Independent Farming Regulation Task Force and Former Chair of the Implementation Group, and George Eustice MP, Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs.

Wednesday 25 February 2015

Catherine Brown, Chief Executive, Tim Bennett, Chair, and Steve Wearne, Director of Policy, Food Standards Agency

Wednesday 4 March 2015

James Cross, Chief Executive, and Guy Thompson, Executive Director for Local Delivery, Natural England

Wednesday 11 March 2015

Rt Hon Elizabeth Truss MP, Secretary of State for Environment, Food and Rural Affairs, Bronwyn Hill, Permanent Secretary, Nick Joicey, Director General, Department for Environment, Food and Rural Affairs
Published written evidence

The following written evidence was received and can be viewed on the Committee’s inquiry web page at www.parliament.uk/efracom. WoC numbers are generated by the evidence processing system and so may not be complete.

1. Defra (WoC0001)
2. Marine Management Organisation (WoC0002)
3. Natural England (WoC0003)
List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the Committee's website at www.parliament.uk/efracom.

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

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