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To consultees on the attached list

1 March 2011

## **DISPOSAL OF THE ASSETS OF THE RESIDUARY MILK MARKETING BOARD**

1. I write to invite your views on how to dispose of the assets of the Residuary Milk Marketing Board (RMMB) which have been held by the Secretary of State since dissolution of the Board on 31 January 2002.
2. This consultation asks for views on the options we have put forward and seeks additional suggestions for disposing of these assets.
3. The following documents can be found at:

<http://ww2.defra.gov.uk/about/consultations/>

- This letter to consultees
- List of consultees

### **Background**

4. The Residuary Milk Marketing Board (RMMB) remained in place to deal with outstanding matters and was itself dissolved on 31 January 2002.
5. Since the date of dissolution the Secretary of State has, under the Milk Marketing Board (Residuary Functions) (Amendment) Regulations 2001 ("the Regulations"), held the assets transferred from the RMMB in order to discharge any remaining liabilities and to make payments to milk producers entitled to them under distributions of monies carried out by the RMMB.
6. The Regulations require the Secretary of State to have held the transferred assets for at least a year before determining how they should be disposed of. In making that determination she must consult on the further period that the assets should be held and on who the

beneficiaries of their disposal should be, if they are not to be relevant producers. The consultees (a list of whom is attached) must be relevant persons or organisations which appear to the Secretary of State to represent the interests of “relevant producers”. **Relevant producers are those who at the time of the RMMB’s final distributions (between 1996 and 2001) were registered eligible producers, i.e. had been registered with the MMB as producers at any time from 1 April 1992 to 31 March 1993.**

7. We have £176,000 (subject to charges, including final audit costs) to dispose of. Final audited accounts showing how we handled the monies in our charge will be available in due course.

**We are now seeking views on who should receive the monies.**

#### Disposal of monies

8. We have held the monies for longer than the minimum relevant period (one year) and in that time have completed outstanding pieces of business. We have discharged remaining liabilities and made payments to milk producers entitled to them under distributions of assets carried out by the RMMB between 1996 and 2001. A number of producers have still not claimed the payments due to them, but the timescale for this period has now passed. We therefore see no reason to continue to hold the monies any longer and propose to make the disposal as soon as possible after the Secretary of State makes her determination, after the consultation as to which body the funds should go to.

**We would like to know if there is any disagreement with this approach.**

#### Beneficiaries

9. The Regulations define the possible beneficiaries. Given the opportunity to pay eligible producers has now gone, the options are:-

- a body corporate or other organisation which appears to the Secretary of State to be established for purposes-
  - i. connected with milk production in England and Wales; or
  - ii. beneficial to relevant producers or to persons engaged in the production of milk in England and Wales.

**We welcome nominations and, in each case, request the following information:**

- Name and address;
- Details of those running the body/organisation;
- Aims and activities;
- Charity Commission number, if appropriate.

**If you wish to make a nomination\*, please also explain how they meet the criteria above, why they would be suitable to receive the funding, and the key potential benefits. (\*this can include self-nomination)**

## Responses

10. Please send responses to:

Milk Team  
Area 5B, 9 Millbank  
c/o Nobel House  
17 Smith Square  
London  
SW1P 3JR  
Tel: 020 7238 3110

Or e-mail: [dairy.consultation@defra.gsi.gov.uk](mailto:dairy.consultation@defra.gsi.gov.uk)

Responses should be received by **12 April 2011**

## Consultation Criteria

11. This consultation has been prepared in line with the Code of practice on Consultations. This is available from the Department for Business Innovation and Skills, which can be viewed at: <http://www.berr.gov.uk/whatwedo/bre/>

12. At the end of the consultation period copies of the responses we receive will be made publicly available in the Defra Information Resource Centre. This is so that the public can see them. Also, members of the public may ask for a copy of responses under freedom of information legislation.

13. If you do not want your response - including your name, contact details and any other personal information – to be publicly available, please say so clearly in writing when you send your response to the consultation. Please note, if your computer automatically includes a confidentiality disclaimer, that won't count as a confidentiality request.

14. Please explain why you need to keep details confidential. We will take your reasons into account if someone asks for this information under freedom of information legislation. But, because of the law, we cannot promise that we will always be able to keep those details confidential.

15. We will summarise all responses and place this summary on our website at: <http://ww2.defra.gov.uk/about/consultations/>

16. This summary will include a list of names of organisations that responded but not people's personal names, addresses or other contact details.

17. If you wish to obtain copies of the consultation responses, you should contact the Defra Information Resources Centre. Your request can be made in person, by telephone, or email:

Information Resources Centre  
Lower Ground Floor  
Ergon House

17 Smith Square  
London SW1P 3JR

Telephone: 020 7238 6575

Email: [defra.library@defra.gsi.gov.uk](mailto:defra.library@defra.gsi.gov.uk)

18. Please note that wherever possible, personal callers should give the library at least 24 hour notice of their requirements. An administrative charge will be made to cover photocopying and postage costs.

19. If you have any comments or complaints about the consultation process used on this occasion, rather than the issue in the consultation paper, please address them to Defra's Consultation Co-ordinator, Area 7C Nobel House, 17 Smith Square, London SW1P 3JR, or e-mail at [consultation.coordinator@defra.gsi.gov.uk](mailto:consultation.coordinator@defra.gsi.gov.uk).

Yours faithfully

Sian Oliver-Gay  
**Department for Environment Food and Rural Affairs**