

Peter Fox, MS
Member of the Senedd for Monmouth

Draft Food (Wales) Bill

A consultation on draft legislation to help establish a more sustainable food system in Wales to strengthen food security, improve Wales' socioeconomic well-being, and enhance consumer choice. The draft legislation also seeks to provide a framework that enables a coherent, consistent and strategic cross-governmental approach to policy and practice on all aspects of the food system.

Date of issue: 18 July 2022

Action required: Responses by 9 September 2022

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Overview: This consultation seeks views on the draft Food (Wales) Bill and on the policy objectives the draft Bill seeks to achieve.

How to respond: Responses to this consultation should be emailed or posted using the details below, or by using the online response form, by 9 September 2022 at the latest.

How your information will be used: Information you provide may be used by Members of the Senedd (including the Member of the Senedd in charge of the Bill), support staff and Senedd Commission staff, during the development of a Member Bill, promotion of the intended effect of the Bill, and subsequent scrutiny of the Bill.

For full details about how your information will be used please see the Senedd's [Member Bill privacy policy](#).

Further information about the Member Bill process can be found on the [Guide to the Member Bill process](#).

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Draft Food (Wales) Bill

Introduction

This draft legislation has been brought forward in accordance with the rules set out in the Standing Orders of the Senedd, that enable non-Government Senedd Members to propose new laws for Wales.

On 22 September 2021, I was successful in a ballot held under the Senedd's Standing Order 26.87 for the right to bring forward a proposal for a new law. The proposal that I had put forward was for a Food (Wales) Bill¹. Under the Standing Orders I then developed my proposal further and published an Explanatory Memorandum setting out the policy objectives and the main aims of the proposal in further detail.²

On 17 November 2021 a 'leave to proceed' debate was held, and the Senedd agreed that I could introduce a Bill within 13 months of the date of that debate to give effect to the proposal selected in the earlier ballot, and as set out in the published Explanatory Memorandum.³

The proposed legislation seeks to establish a more sustainable food system in Wales to strengthen food security, improve Wales' socioeconomic well-being, and enhance consumer choice. The draft Bill provides a framework that enables a coherent, consistent and strategic cross-governmental approach to policy and practice on all aspects of the food system.

The draft Food (Wales) Bill ("the draft Bill") has been developed with those underlying policy objectives as its key principles. Throughout that development process I have held discussion and initial consultation with key stakeholders, and the public. I have also engaged with Welsh Government and political colleagues in the Senedd.

¹ [Member Bill Ballot 22 September 2021. Initial proposal from Peter Fox, MS](#)

² [Development of the Food \(Wales\) Bill: Explanatory Memorandum](#)

³ ['Leave to Proceed' Plenary debate: 17 November 2021](#)

This consultation now seeks views on the draft Food (Wales) Bill and on the policy objectives contained within it. Respondents do not have to answer all of the questions provided, but it would assist in our continued development of the Bill if as much detail as possible could be provided in any response. This consultation document has been published together with the draft Bill itself.

Peter Fox, MS
Member of the Senedd for Monmouth

Draft Food (Wales) Bill: Consultation

Part 1

Background and Purpose of the draft Bill

1) The purpose of the Food (Wales) Bill is to establish a more sustainable food system in Wales to strengthen food security, improve Wales' socioeconomic well-being, and enhance consumer choice. The draft Bill provides a framework that enables a coherent, consistent and strategic cross-governmental approach to policy and practice on all aspects of the food system.

2) The food system is central to Wales' current and future socioeconomic prosperity. Whilst food production and consumption is inherently interlinked to the wider UK and global systems, the sector in Wales has a fundamental role to play in helping to create a more equal, healthier, and greener Wales. Some of the biggest issues facing Wales – such as poverty and inequality, obesity and malnutrition, and climate change – have been exacerbated by the ongoing COVID-19 pandemic, the war in Ukraine and the cost of living crisis. Ongoing supply chain issues have also highlighted the need for a more resilient food system, with such issues limiting consumer choice. These issues place a significant strain on the Welsh Government, as well as public services and communities.

3) Therefore, the draft Bill seeks to develop an holistic, coherent framework within which future food policy will be developed. It will act as a platform for collaboration between public bodies and policy makers, as well as bringing together food producers and consumers. In doing so, the draft Bill also seeks to ensure that policies consider how the food system can respond

to some of Wales' socioeconomic challenges on a local, regional, and national level.

4) The draft Bill will also help the Welsh Government and other public bodies to meet their duties as outlined in the Well-being of Future Generations (Wales) Act 2015 ('the Future Generations Act'). The aims of provisions contained within the draft Bill will be focused on meeting the seven wellbeing goals, and will use the Future Generations Act to facilitate a more coherent approach to the development of food policy in Wales.

5) The draft Bill will also ensure that the legislative framework for the food system in Wales keeps up with developments elsewhere in the UK and does not leave food producers and consumers in Wales at a disadvantage. In developing this draft Bill the following recent policy developments have been considered:

- [The Good Food Nation \(Scotland\) Act 2022](#): this Act was passed by the Scottish Parliament on 15 June 2022. The Act requires Scottish Ministers and relevant public authorities to create Good Food Nation Plans, and will support the ambition of the Scottish Government for Scotland to become a 'Good Food Nation'. These plans will set out the main outcomes to be achieved in relation to food related issues, the policies needed to do this and the indicators or other measures required to assess progress. The Act also establishes a Food Commission to scrutinise and make recommendations in relation to the Good Food Nation Plans and progress reports; conduct research; and provide advice to Scottish Ministers and relevant authorities in carrying out their duties under the Act.
- [UK Government Food Strategy](#): The UK Government published its food strategy on 13 June 2022. The objectives of the strategy are to deliver:

- a prosperous agri–food and seafood sector that ensures a secure food supply in an unpredictable world and contributes to the levelling up agenda through good quality jobs around the country;
- a sustainable, nature positive, affordable food system that provides choice and access to high quality products that support healthier and home–grown diets for all; and
- trade that provides export opportunities and consumer choice through imports, without compromising our regulatory standards for food, whether produced domestically or imported.

Amongst other things, the UK Government strategy builds on [the National Food Strategy report](#), an independent report commissioned by the UK Government and led by Henry Dimbleby. The report explored food production, marketing and processing, as well as the sale and purchase of food. It also looked at the resources and institutions involved in these processes.

Scope of the draft Bill

6) The scope of the draft Bill includes the following areas, which are explored in further detail in this consultation document:

Introducing ‘Food Goals’: including a ‘primary food goal’ to put in place an overarching duty for the provision of affordable, healthy, and economically and environmentally sustainable food; supplemented by ‘secondary food goals’ in specific areas.

Establishing a Welsh Food Commission: including powers to monitor and report on progress towards Government commitments, as well as statutory commitments, and to oversee the delivery of the Food Goals and food plans.

National Food Strategies and Local Food Plans: to require public bodies to have regard to existing policy and legislative commitments – including the Future Generations Act, as well as international agreements such as the UN Development Goals – when designing food policy.

Tackling food waste: reducing the food waste created by food producers and consumers is set out as one of the secondary food goals.

Other Considerations

Social Partnership and Public Procurement (Wales) Bill

7) On 7 June 2022, the Welsh Government introduced the [Social Partnership and Public Procurement \(Wales\) Bill](#) (“the Social Partnership Bill”). The policy objectives for the Social Partnership Bill are set out in full on the Senedd’s website but include areas that could have some cross over to the policy objectives for the draft Food (Wales) Bill.

- 8) In particular, the Social Partnership Bill includes provision for:
- a statutory duty on certain public bodies to consider socially responsible public procurement when carrying out procurement, to set objectives in relation to well-being goals, and to publish a procurement strategy
 - certain public bodies to carry out contract management duties to ensure that socially responsible outcomes are pursued through supply chains.

9) The Social Partnership Bill is currently going through scrutiny in the Senedd, and the general principles are being considered by the Senedd’s Equality and Social Justice Committee. The details of the Social Partnership Bill, together with the outcomes of the Senedd’s early consideration of it, will be taken into consideration in the final development of the draft Bill.

Commitments in the Welsh Government's Programme for Government

a) Develop a Wales Community Food Strategy to encourage the production and supply of locally-sourced food in Wales

10) As set out in the [Welsh Government's Programme for Government](#), it proposes to introduce a Community Food Strategy. As part of the Government's plans to embed its response to the climate and nature emergency in everything it does, the Programme for Government sets out an aim to: 'Develop a Wales Community Food Strategy to encourage the production and supply of locally-sourced food in Wales'.

11) The detail of the proposed strategy has not yet been published or provided to the Senedd for scrutiny. The timing of when the Government intends to bring forward the strategy is also, at this time, not known.

12) If published before the draft Bill is introduced, the details of the strategy, together with any outcomes from Senedd consideration of it, will be taken into consideration in the final development of the draft Bill. It is also hoped that there will be some constructive dialogue with the relevant Welsh Government Minister as both the draft Bill and their strategy progress.

b) Create a new system of farm support that will maximise the protective power of nature through farming, recognising the particular needs of family farms in Wales and acknowledging ecologically sustainable local food production

13) The Welsh Government published its [draft Sustainable Farming Scheme](#) on 6 July 2022. The Government's Agriculture (Wales) Bill is anticipated in September and expected to provide the legislative vehicle for the Scheme. This new approach replaces the EU Common Agricultural Policy (CAP)-style payments to farmers.

14) The draft Sustainable Farming Scheme aims to reward farmers who achieve Sustainable Land Management outcomes and, amongst other things, diversify the food they produce. The Scheme intends to help farmers build new markets and add value to their produce; support local food keeping value in communities; and to build a more diverse food system which is more resilient to climate change.

15) After a period of consultation and piloting, the Sustainable Farming Scheme is expected to open in January 2025.

16) The objectives of the draft Bill complement those of the Sustainable Farming Scheme and together they will help to make high quality ethically sourced local food more readily available in Wales, while supporting our farmers to keep farming sustainably.

17) It is likely that the Food (Wales) Bill and the Agriculture (Wales) Bill will be before the Senedd at the same time. If this is the case it's important that processes allow for a joined up approach so both Bills support each other as much as possible. Again it's also hoped there'll be constructive dialogue with the Welsh Government as things progress.

Draft Food (Wales) Bill: Consultation

Part 2

Content and detail of the draft Bill

18) As outlined earlier in this document, the purpose of the draft Bill is to establish a more sustainable food system in Wales to strengthen food security, improve Wales' socioeconomic well-being, and enhance consumer choice. The draft Bill provides a framework that enables a coherent, consistent and strategic cross-governmental approach to policy and practice on all aspects of the food system.

19) The draft Bill also seeks to develop an holistic, coherent framework within which future food policy will be developed. It will act as a platform for collaboration between public bodies and policy makers, as well as bringing together food producers and consumers. In doing so, the draft Bill also seeks to ensure that policies consider how the food system can respond to some of Wales' socioeconomic challenges on a local, regional, and national level.

Why we believe the Bill is needed

20) Discussions with stakeholders over many months have highlighted that there is a general lack of scrutiny of policy related to the wider food system in Wales (and elsewhere). That is, food policy is too often thought of in silos, with Welsh Government departments taking different approaches to food policy; thus resulting in policy aims that can often contradict each other.

21) Furthermore, despite the importance of food (and the wider food system) to health and wellbeing, as well as socioeconomic development amongst other things, public bodies have been found to have very different

and inconsistent attitudes towards food policy within their own remit. Whilst some are proactive in this area, others do very little.

22) This 'patchwork' of policy responses that exist across Wales means that the ability of the food sector to meet some of the challenges facing communities is often underutilised – whilst some of these challenges are left unaddressed.

23) Recent events have highlighted that supply chains are more vulnerable to external shocks than commonly thought. While food is inherently a global challenge – shocks to the system mean that those that do not have a robust localised food system in place are often more vulnerable to others.

24) The draft Bill, therefore, intends to create a more robust system of governance to oversee the food system in Wales. In other words, to ensure that public bodies are more proactive in monitoring the health and accessibility of the food system in Wales, and interactions of the Welsh food system with further beyond. These issues underpin many different aspects of communities.

25) Whilst it is accepted that Welsh Government could undertake action to meet some of these challenges without the need for legislation, an issue that is often found is that plans and strategies put in place often contain very little mechanisms of scrutiny and accountability. Thus they are often ignored by bodies, or implemented to a limited extent. This draft Bill would seek to place specific duties on public bodies to help bring together the food system in Wales so that it is working towards similar aims and objectives and – it is hoped, leading to tangible change in how society views its interaction with food and food-related issues.

Consultation questions:

- 1. Do you agree with the overarching principles that the Bill seeks to achieve?*
- 2. Do you think there is a need for this legislation? Can you provide reasons for your answer.*

How the policy objectives fit into the draft Bill

26) The main policy objectives of the draft Bill are set out in four separate parts, each with a descriptive crossheading, divided into sections. There are also more general provisions contained in separate sections within the draft Bill. The draft Bill is also supplemented by a Schedule which contains further detail on the composition and operation of the Welsh Food Commission.

Food goals: Sections 1 to 7

27) A key policy objective of the draft Bill is to deliver affordable, healthy, and economically and environmentally sustainable food for people now and for future generations. The establishment of “food goals” in this opening part of the draft Bill provides a mechanism to help towards the delivery of that key policy objective.

28) The draft Bill sets out the food goals in two categories:

- **Primary Food Goal:** this is the overarching goal of providing affordable, healthy, and economically and environmentally sustainable food for the people of Wales.

- **Secondary Food Goals:** these underpin the primary food goal and cover specific areas including: (i) Economic well-being, (ii) Health and social, (iii) Education, (iv) Environment and (v) Food waste.

29) The draft Bill places a duty on “public bodies” to take reasonable steps to advance the primary food goal and the secondary food goals (see Section 1). For the purposes of the draft Bill, “public bodies” means the Welsh Ministers, a local authority, or a Local Health Board. However, the draft Bill also includes a provision for the list of public bodies to be amended in future if that is considered to be required, and provides a specific process for that (see Section 22 of the draft Bill).

30) The food goals are similar in style and effect to the “well-being goals” set out in section 4 of the [Future Generations Act](#) . In the same way as the ‘well-being goals’ are woven into the Future Generations Act, the food goals form an integral thread throughout the draft Bill, and must be considered when undertaking other duties under the draft Bill (such as the development of the National Food Strategy).

Consultation questions:

3. Please provide your views on the inclusion of the Food Goals within the Bill as the means to underpin the policy objectives.

4. Do you agree with the inclusion of a Primary Food Goal supplemented by Secondary Food Goals?

5. Are there additional / different areas you think should be included in the Food Goals?

6. Do you have any additional comments on the Food Goals, including the resource implications of the proposals and how these could be minimised?

Targets for the secondary food goals

31) The draft Bill places a duty on the Welsh Ministers to set targets for each of the secondary food goals. These targets must specify (a) a standard to be achieved, which must be capable of being measured, and (b) a date by which that target should be achieved.

32) The setting of targets such as these is an accepted practice and is seen in many Acts. A recent example of the use of such targets is set out in Chapter 1 of the [Environment Act 2021](#), passed by the UK Parliament. Another example of setting targets can be seen in the Future Generations Act, introduced by Welsh Government and passed by the Senedd in March 2015. The use of targets would be the main mechanism within the draft Bill for helping to ensure that specified standards are achieved against each of the secondary food goals.

33) Though the draft Bill creates the duty for targets to be set, the targets will be made through secondary legislation known as regulations. These will be made by the Welsh Ministers, and those regulations will include the detail of what the standard to be achieved is and how it will be measured. The first regulations setting one or more targets for each secondary food goal must be made within 24 months of the relevant section of the draft Bill coming into force.

34) The specific process for setting the targets is set out in Section 5 of the draft Bill. This process places a duty on the Welsh Ministers, before making the regulation, to seek advice from the Welsh Food Commission (which will be established through this draft Bill), and from other persons who are considered to be independent and who have relevant expertise. The inclusion of this provision will ensure that there must be an independent element included in setting the specific targets.

35) Section 6 of the draft Bill includes requirements relating to the reporting on the targets that have been set. The inclusion of reporting requirements is an important element of the draft Bill, as it provides the

mechanism for scrutiny and accountability for progress towards meeting the targets set.

36) The Welsh Government must publish a statement stating whether the targets have been met or not. If targets have not been met, the Welsh Government must explain in the statement why the target has not been met and what steps have been taken, and will be taken to ensure the target is met as soon as possible.

37) To help ensure that the targets set in accordance with the draft Bill remain relevant and measurable, the draft Bill contains a duty for the Welsh Ministers to review the targets that they have set. The main purpose of the review is to consider whether meeting the target would significantly contribute to the primary food goal.

38) The draft Bill provides for the first review of the targets to be undertaken within 5 years of the provision coming into force, with subsequent reviews being completed within 5 years of the completion of the previous review. Each review must be published by the Welsh Ministers.

Consultation questions:

7. Please provide your views on the inclusion of targets within the Bill as the means to measure how the Food Goals are being advanced.

8. Do you agree with the process for setting the targets?

9. Do you think the reporting mechanisms set out in the draft Bill provide sufficient accountability and scope for scrutiny?

10. Do you have any additional comments on the targets, including the resource implications of the proposals and how these could be minimised?

Welsh Food Commission: Sections 8 to 11 and the Schedule

Establishing the Welsh Food Commission

39) Section 8 of the draft Bill establishes the Welsh Food Commission or Comisiwn Bwyd Cymru and Section 9 sets out its objectives. These are to promote and facilitate:

- a. the advancement of the primary and secondary food goals by public bodies; and
- b. the achievement of the food targets.

40) The Commission's functions are listed in Section 10. These are as follows:

- a. to develop, and assist public bodies to develop, policies in relation to food matters;
- b. to advise, inform and assist public bodies, and other persons, in relation to food matters;
- c. to keep the public adequately informed about and advised in relation to matters which significantly affect their capacity to make informed decisions about food matters;
- d. to provide oversight and performance review of the exercise of the functions of public bodies in relation to the food goals and food targets;
- e. to scrutinise the national food strategy and local food plans,
- f. to act as a consultee for the Welsh Ministers when the food goals are to be amended; and
- g. to give advice to the Welsh Ministers in their review of food targets.

Running the Welsh Food Commission

41) The Schedule to the draft Bill sets out the details of how the Welsh Food Commission will operate.

Part 2 of the Schedule: Membership

42) The Commission is to consist of a chair and between five and seven other members, all appointed by the Welsh Ministers. Before appointing the chair, the Welsh Ministers must consult with the Senedd. Before appointing the other members, the Welsh Ministers must consult with the chair and the Senedd.

43) In appointing an individual, the Welsh Ministers must have regard to the desirability of members having a range of skills and experiences.

44) The Welsh Ministers can specify the terms of membership, subject to the provisions of the Schedule, which include a maximum term of membership of five years and that an individual may be re-appointed as a member only once.

45) An individual cannot be appointed as a member of the Commission if they are a Member of the Senedd, UK Parliament, Scottish Parliament or Northern Ireland Assembly, or a member of a number of other specified public bodies or have been appointed to certain public positions. Paragraph 4 of the Schedule sets out the full list.

46) An individual can resign membership of the Commission by giving the Welsh Ministers three months' notice in writing.

47) The Welsh Ministers can dismiss an individual as a member if the individual becomes an undischarged bankrupt or the Welsh Ministers are satisfied that the individual is unfit to continue as a member.

48) The Welsh Ministers can pay remuneration, allowances (including travelling and subsistence allowances) and gratuities to members of the Commission. The Welsh Ministers can also pay or contribute to pensions to individuals who have been members of the Commission. Paragraph 6 of the Schedule contains more information.

Part 3 of the Schedule: Operational matters

49) The Commission can do anything it considers appropriate in connection with its functions.

50) The Commission can appoint staff to carry out its functions. It can pay remuneration, allowances (including travelling and subsistence allowances) and gratuities to staff. The Commission can also pay or contribute to pensions to individuals who have been members of staff.

51) The Commission must obtain the approval of the Welsh Ministers for:

- a. the number of staff that can be appointed;
- b. the terms and conditions of the staff; and
- c. any payments to be made to the staff, as noted above.

52) The Commission can regulate its own procedures (including any quorum).

53) The Commission can establish committees, which can include a member who isn't a member of the Commission. Such an individual is entitled to remuneration and expenses as determined by the Commission. The Commission can regulate the procedures (including any quorum) of any committee established by it.

54) The Commission can delegate the exercise of any of its functions to one (or some) of its members, a committee established by it, or a member of its staff. This can be a general delegation or limited to a function in specific circumstances, and doesn't affect the responsibility of the Commission for that function.

55) In order to fund the work of the Commission, the draft Bill enables the Welsh Ministers to pay the Commission as they think appropriate.

Part 4 of the Schedule: plans, report and accounts

56) Before the beginning of the Commission's second financial year, and for each subsequent financial year, the Commission must prepare a plan of how it intends to discharge its functions during that financial year, and in the interest of transparency lay a copy of the plan before the Senedd.

57) As soon as practicable after the end of each financial year, the Commission must prepare and publish an annual report on the exercise of its functions during that financial year. The Commission must send a copy of this report to the Welsh Ministers and lay a copy of the report before the Senedd.

58) The Commission can lay a copy of any other report prepared by it before the Senedd.

59) The Commission must keep accounts for each financial year in accordance with directions given by the Welsh Ministers (see paragraph 16 of the Schedule).

60) The accounts must be submitted to the Auditor General for audit, and within four months of submission, the Auditor General must lay a copy of the certified accounts and accompanying report before the Senedd. The Auditor General must not certify the accounts unless satisfied that the expenditure to which the accounts relate has been incurred lawfully and in accordance with the authority that governs it.

Consultation questions:

11. What are your views on the need for a Welsh Food Commission?

***12. Do you agree with the goals and functions of the Welsh Food Commission?
If not, what changes would you suggest?***

13. Do you agree with the size of the membership of the Food Commission and the process for appointing its members?

14. What are your views on the proposal that the chair and members can serve a maximum term of five years and that an individual may be re-appointed as a chair or member only once? Do you believe this is appropriate?

15. Do you have any additional comments on the Food Commission, including the resource implications of the proposals and how these could be minimised?

National Food Strategy – sections 12 to 16

61) The draft Bill will require the Welsh Ministers to publish a national food strategy setting out the overall strategy and individual policies that they intend to pursue in order to advance the primary food goal and the secondary food goals, and achieve the food targets (details of which are set out earlier in this consultation document).

62) Specified ‘public bodies’ – as set out in section 22 of the draft Bill – would then be required to have regard to the national food strategy in exercising any functions related to the primary food goal, the secondary food goals, and the food targets.

63) The requirement for a national food strategy has been brought forward in the draft Bill to respond to concerns about gaps in the Welsh Government’s current policy framework. For example, the recent report by the Sustainable Places Research Institute at Cardiff University, [A Welsh Food System Fit for Future Generations](#), argues that the current Food Action Plan ‘does not provide a comprehensive Welsh food system strategy for the present and future generations’.

64) While the draft Bill places the duty to publish the strategy on Welsh Ministers, it requires Welsh Ministers to seek advice from the Welsh Food Commission before making the strategy. The draft Bill also suggests that Welsh Ministers may also seek advice from the Future Generations Commissioner on how to align the strategy with the sustainable development principle as set out in the Future Generations Act (though this is not a requirement).

65) Before making the strategy, Welsh Minister must also consult with persons they consider to be independent and to have relevant expertise, and such other persons as the Welsh Ministers consider appropriate.

Reporting on the strategy

66) The Welsh Ministers must lay before the Senedd, and publish, a report assessing the effectiveness of the national food strategy, and in particular, setting out the contribution it has made towards—

- advancing the primary food goal and the secondary food goals, and
- achieving the food targets.

67) Before making a report on the national food strategy, the Welsh Ministers must consult with the Welsh Food Commission.

68) Reports under this section must be produced as soon as practicable after the end of 2 years beginning with the day the first strategy is published, and each subsequent period of 2 years.

Reviewing the strategy

69) Before the end of the period of 5 years beginning with the day on which the first strategy is published, and then in each subsequent period of 5 years, the Welsh Ministers must review the national food strategy.

70) Following a review, the Welsh Ministers must revise the strategy as they consider appropriate.

Consultation questions:

16. Do you agree that there is a need for a national food strategy?

17. Do you believe the Welsh Government's current strategies relating to 'food' are sufficiently joined up / coherent?

18. Does the draft Bill do enough to ensure that Welsh Ministers take advice and consult on the strategy before it is made. If no, what additional mechanisms would you put in place?

19. Do you think the provisions of the draft Bill relating to reporting on the national food strategy are sufficient? If not, what changes would you like to see?

20. Do you think the provisions of the draft Bill relating to reviewing of the national food strategy are sufficient? If not, what changes would you like to see?

21. Do you have any additional comments on the National Food Strategy, including the resource implications of the proposals and how these could be minimised?

Local Food Plans – Sections 17 to 21

71) The draft Bill will require public bodies (other than Welsh Ministers) to publish a local food plan setting out the policies that they intend to pursue in order to contribute to the advancement of the primary food goal and the secondary food goals, and the achievement of the food targets (details of which are set out earlier in this consultation document).

72) Those public bodies would then be required to have regard to its local food plan in exercising any functions related to the primary food goal, the secondary food goals, and the food targets.

73) Before making the local food plans, a public body may consult with the Welsh Food Commission, Future Generations Commissioner, or such other persons they consider appropriate. In making a plan, a public body must have regard to the national food strategy (as set out in sections 12 to 16 of the draft Bill).

Reporting on local food plans

74) A public body must publish a report assessing the effectiveness of its local food plan, and in particular, the contribution it has made towards—

- advancing the primary food goal and the secondary food goals, and
- achieving the food targets.

75) Before making a report on its local food plan, a public body must consult with the Welsh Food Commission.

76) Reports under this section must be produced as soon as practicable after the end of 2 years beginning with the day the first strategy is published, and each subsequent period of 2 years.

Reviewing the strategy

77) Before the end of the period of 5 years beginning with the day on which the first strategy is published, and then in each subsequent period of 5 years, a public body must review its local food plan.

78) Following a review, the public body must revise the plans as it considers appropriate.

Consultation questions:

22. Do you agree that there is a need for local food plans?

23. Does the draft Bill do enough to ensure that public bodies consult on their local food plans before they are made. If no, what additional mechanisms would you put in place?

24. Do you think the provisions of the draft Bill relating to reporting on the local food plans are sufficient? If not, what changes would you like to see?

25. Do you think the provisions of the draft Bill relating to reviewing of the local food plans are sufficient? If not, what changes would you like to see?

26. Do you have any additional comments on local food plans, including the resource implications of the proposals and how these could be minimised?

General provisions – sections 22 to 26

Meaning of public bodies: section 22

79) This section defines which ‘persons’ are to be included in the meaning of a public body. The draft Bill defines this as being (a) the Welsh Ministers; (b) a local authority; and (c) a Local Health Board.

80) Welsh Ministers may amend the list of persons defined as a public body by adding a person, removing a person or amending the description of a person. However, new persons may only be added if that person exercises functions of a public nature.

81) Before making any regulations to amend the list of public bodies, Welsh Ministers must consult with the Welsh Food Commission; any person being added to the list, and any other person that they consider appropriate.

Regulations under the Bill: section 23

82) This sets out the process by which regulations under the Bill would be made. Regulations may not be made by Welsh Ministers unless a draft of the regulations has been laid before, and approved by, the Senedd.

Interpretation: section 24

83) This provides for the interpretation of specific terms established in the draft Bill.

Commencement: section 25

84) This established that the commencement date for the Act, which is the date it will come into operation, will be at the end of the period of 3 months after the date it receives Royal Assent.

Short Title: section 26

85) The final section of the Bill sets out the short title. This is the title by which the final Act will be known. This will be the Food (Wales) Act 2023.

Consultation questions:

27. Do you agree with the list of persons defined as being a 'public body' for the purpose of this Bill?

28. Do you have any views on the process for making regulations set out in the Bill?

29. Do you have any views on the proposed commencement date for the Act?

General Views

86) We have asked a number of specific questions throughout this consultation document. If you have any related issues which we have not specifically addressed, please provide details of these in your response.

Next steps

87) All responses to this consultation will be recorded as they are received and will be analysed following the end of the consultation period. A report on the responses will be produced and published alongside the draft Bill.

88) Full and proper consideration will be given to all responses. In analysing responses, appropriate weighting will be attached to responses from large organisations (such as large public bodies, employers and trade unions) and to responses from organisations directly impacted by the measures set out in the draft Bill.

Draft Food (Wales) Bill Consultation

Response form

Name:

E-mail:

In what capacity are you responding:

- personal capacity
- professional capacity

If professional, name of organisation for which you are responding:

Question	Response
Why is the Bill required	
Question 1: Do you agree with the overarching principles that the Bill seeks to achieve?	
Question 2: Do you think there is a need for this legislation? Can you provide reasons for your answer.	

Food Goals

Question 3: Please provide your views on the inclusion of the Food Goals within the Bill as the means to underpin the policy objectives.

Question 4: Do you agree with the inclusion of a Primary Food Goal supplemented by Secondary Food Goals?

Question 5: Are there additional / different areas you think should be included in the Food Goals?

Question 6: Do you have any additional comments on the Food Goals, including the resource implications of the proposals and how these could be minimised?

<p>Question 7: Please provide your views on the inclusion of targets within the Bill as the means to measure how the Food Goals are being advanced.</p>	
<p>Question 8: Do you agree with the process for setting the targets?</p>	
<p>Question 9: Do you think the reporting mechanisms set out in the draft Bill provide sufficient accountability and scope for scrutiny?</p>	
<p>Question 10: Do you have any additional comments on the targets, including the resource implications of the proposals and how these could be minimised?</p>	

Wales Food Commission

Question 11: What are your views on the need for a Welsh Food Commission?

Question 12: Do you agree with the goals and functions of the Welsh Food Commission? If not, what changes would you suggest?

Question 13: Do you agree with the size of the membership of the Food Commission and the process for appointing its members?

Question 14: What are your views on the proposal that the chair and members can serve a maximum term of five years and that an individual may be

<p>re-appointed as a chair or member only once? Do you believe this is appropriate?</p>	
<p>Question 15: Do you have any additional comments on the Food Commission, including the resource implications of the proposals and how these could be minimised?</p>	
<p>National Food Strategy</p>	
<p>Question 16: Do you agree that there is a need for a national food strategy?</p>	
<p>Question 17: Do you believe the Welsh Government's current strategies relating to 'food' are sufficiently joined up / coherent?</p>	
<p>Question 18: Does the draft Bill do enough to ensure that Welsh</p>	

<p>Ministers take advice and consult on the strategy before it is made. If no, what additional mechanisms would you put in place?</p>	
<p>Question 19: Do you think the provisions of the draft Bill relating to reporting on the national food strategy are sufficient? If not, what changes would you like to see?</p>	
<p>Question 20: Do you think the provisions of the draft Bill relating to reviewing of the national food strategy are sufficient? If not, what changes would you like to see?</p>	
<p>Question 21: Do you have any additional comments on the</p>	

<p>National Food Strategy, including the resource implications of the proposals and how these could be minimised?</p>	
<p>Local Food Plans</p>	
<p>Question 22: Do you agree that there is a need for local food plans?</p>	
<p>Question 23: Does the draft Bill do enough to ensure that public bodies consult on their local food plans before they are made. If no, what additional mechanisms would you put in place?</p>	
<p>Question 24: Do you think the provisions of the draft Bill relating to reporting on the local food plans are sufficient? If not, what</p>	

<p>changes would you like to see?</p>	
<p>Question 25: Do you think the provisions of the draft Bill relating to reviewing of the local food plans are sufficient? If not, what changes would you like to see?</p>	
<p>Question 26: Do you have any additional comments on local food plans, including the resource implications of the proposals and how these could be minimised?</p>	
<p>General Provisions</p>	
<p>Question 27: Do you agree with the list of persons defined as being a 'public body' for the purpose of this Bill?</p>	

<p>Question 27: Do you have any views on the process for making regulations set out in the Bill?</p>	
<p>Question 27: Do you have any views on the proposed commencement date for the Act?</p>	
<p>General Views</p>	
<p>Please provide any additional information relevant to the draft Bill.</p>	