

Cyflwynwyd yr ymateb hwn i'r ymgynghoriad ar y [Bil Bwyd \(Cymru\) Drafft](#)

This response was submitted to the consultation on the [Draft Food \(Wales\) Bill](#)

FB021

Ymateb gan: | Response from: Cymdeithas Llywodraeth Leol Cymru | Welsh Local Government Association

WLGA CONSULTATION RESPONSE: Draft Food (Wales) Bill Consultation

INTRODUCTION

1. The Welsh Local Government Association (WLGA) is a politically led cross party organisation that seeks to give local government a strong voice at a national level. The Association represent the interests of local government and promotes local democracy in Wales. The 22 councils in Wales are all members of the WLGA and the 3 fire and rescue authorities and 3 national park authorities are associate members.
2. WLGA believes that the ideas that change people's lives, happen locally. Communities are at their best when they feel connected to their council through local democracy. By championing, facilitating, and achieving these connections, we can build a vibrant local democracy that allows communities to thrive.
3. The main aim of the Association is to promote, protect, support and develop democratic local government and the interests of councils in Wales. This means:
 - Promoting the role and prominence of councillors and council leaders
 - Ensuring maximum local discretion in legislation or statutory guidance
 - Championing and securing long-term and sustainable funding for councils
 - Promoting sector-led improvement
 - Encouraging a vibrant local democracy, promoting greater diversity
 - Supporting councils to effectively manage their workforce.

General Points and comments

4. WLGA welcomes the opportunity to respond to this consultation on the proposals for a Food Bill for Wales. Views on the questions included in the consultation document are included below.

Brief comments on the questions

1. Do you agree with the overarching principles that the Bill seeks to achieve?

Yes – it seeks to provide coherent framework for food policy integrated with the goals of the Well-being of Future Generations Act (WFG Act). It could help address a number of key issues including the need to improve food security, and to tackle climate change and poverty issues.

2. Do you think there is a need for this legislation? Can you provide reasons for your answer.

Yes, but appropriate resources must be allocated to support implementation. The legislation would put public bodies under a duty to take reasonable steps to advance the primary and secondary food goals. As with any new duty imposed on councils this will have to be properly funded and not expected to be accommodated within existing budgets.

It is also important that any new regulations do not create additional pressures for food businesses which are already struggling due to a range of supply, cost and labour pressures.

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

They are easily understood and complement the WFG Act, requiring public bodies to think explicitly about implications in terms of food production and consumption.

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

Broadly, yes. It places the nature of food at the heart of the Bill and then requires consideration of a number of dimensions where food can contribute to wider policy objectives.

It is important to note, though, that it may not be possible simultaneously to achieve all elements of the primary food goal (of providing 'affordable, healthy, and economically and environmentally sustainable food for the people of Wales). If food costs increase, for example as a result of having more locally sourced food on school plates, so will the cost to Welsh Government (Universal Provision of Free School Meals unit cost for meals), councils (covering regular Free School Meals costs for meals through Revenue Support Grant) and parents/pupils (paying pupils in secondary schools).

In schools, healthier foods are generally less popular and contribute more to consumer waste than 'child friendly' foods (e.g. salmon fish fingers v. cod fish fingers; peas v. baked beans; boiled potatoes v. chips). Within schools, it is unrealistic to expect to achieve the secondary food goal of 'reducing food waste by food producers and consumers' while continuing to increase the health of food in schools, which is likely to be an ongoing intervention of the other secondary food goal relating to 'reducing obesity'.

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

There is merit in keeping the goals limited in number and easy to understand/remember. However, it is important to note that there will be cost implications. High quality, locally procured, resilient sources of food are likely to be more expensive than alternatives available on the market. Council budgets would need to be enhanced to cover such additional costs, recognising that there are compensating wider social and environmental benefits.

Food education and food skills development to ensure better healthier diets and well-being would be important, complementary measures.

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

Resource implications are covered in the above responses, In addition, though, the goals need to be developed in tandem with Welsh Government's Sustainable Farming Scheme proposals, ensuring that even though food is a marketable commodity, food security and the wider social and environmental benefits associated with how food is produced and consumed are public goods. The SFS will be making payments to farmers for public goods and the Scheme is therefore a source of resources to help meet the additional costs. Following concerns that the early drafts of the proposed Sustainable Farming Scheme failed to acknowledge or support the key role of farmers in sustainable food production, it is good to see that the latest drafts of the Scheme reflect this. It will be important that food production remains at the heart of the new Sustainable Farming Scheme as the scheme is further amended and finalised and the contribution of farmers in producing sustainable food is formally recognised in the new legislation underpinning the new scheme.

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.

It makes sense to include targets to measure progress provided the targets are objective, achievable and promote the Primary Food Goal. The targets could require at least a minimum standard so as not to limit ambition – perhaps with incentives for those achieving superior performance.

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

The process needs to be kept as simple as possible. It is also important to avoid the

target being the limit of ambition. If better outcomes are possible this should be encouraged.

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

Broadly, yes and these can evolve over time. It is important the framework is supportive and encourages positive action rather than turning into a bureaucratic exercise and burden. Councils (and other public bodies) should be expected to explain their performance and supported to address any failure to meet targets. However, the system should not introduce punitive or critical measures (for example, using financial penalties or publishing 'league tables').

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

The resource implications of meeting the targets won't be fully known until they are published and in light of experience of working towards them. It may be helpful to review them after 12 months to consider their appropriateness in light of resource availability.

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

A WFC could be helpful and provide an important role, depending on how it is set up and the quality of the people appointed to it. It would need to be adequately resourced and not constantly dependent on the annual renewal of funding. There are already various existing public bodies and Commissioners with an interest (e.g. Future Generations and Children's Commissioners; Public Health Wales) and it is important that any additional body adds value. The need for democratic oversight is also critical.

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

Broadly yes. It is welcome to see that it would have a role assisting public bodies in setting food policies and providing them with advice and assistance generally.

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

The proposed size of the membership seems about right.

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?

Continuity will be important, but it is also recognised that there may be need to refresh from time to time. A situation should be avoided where all members have to change at the same time

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

No.

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

Yes.

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

No – there is scope for them to be more aligned. See comments above about linking food strategy more closely to the SFS, for example.

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?**

This is a separate issue to the content of the Bill. Appropriate consultation with councils as a democratically elected tier of government will be vital.

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?**

Yes they are sufficient.

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?**

Yes, although five years may be too long before the first review.

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?**

No

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

Some form of plan will be necessary to set out how bodies intend to meet the primary food goal, the secondary food goals and the associated food targets. However, if Local Authorities are to be given a duty to produce local food plans, they should be provided with the necessary resources to undertake this task.

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?**

Broadly yes, but this will need to be kept under review.

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?**

Yes

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?

There needs to be a review of the overall national strategy and how the local food plans are contributing to it, not a focus on the local plans alone.

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

The focus must be on outcomes and information requirements should be developed accordingly and kept to a minimum.

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

Yes

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

No

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

In planning ahead, it needs to be remembered that the Act won't really start to impact on public bodies until Regulations are produced and come into force.