

Draft Food (Wales) Bill

Summary of consultation responses

October 2022

1. Introduction

This document summarises the response to the [draft Food \(Wales\) Bill consultation](#) which ran from 18 July to 16 September 2022.

Responses were received from 49 organisations and individuals. A list of respondents can be seen at [Annex 1](#).

Some consultation questions lent themselves to a yes/no answer. A summary table of responses to these questions can be seen at [Annex 2](#).

This document isn't intended to be an exhaustive account of every comment received. It summarises the key issues raised that are directly focused on the wording and intent of the draft Bill. The respondents' full comments can be found in their [submission documents](#).

2. Summary

There was strong support for the main features of the draft Bill.

Respondents said current Welsh Government policy relating to food is not sufficiently joined up and overwhelmingly supported the need for a single overarching holistic approach to the whole food system in Wales.

While respondents generally supported the proposals in the draft Bill, there were suggestions in a number of areas, including:

- the food goals should be strengthened, most prominently with regards to the environment and climate change;
- there should be greater consultation and collaboration with stakeholders and the public in developing the targets, national food strategy and local food plans;

- the proposed Welsh Food Commission could have a stronger role in developing the targets and the national food strategy; and
- there should be more flexibility to allow more frequent reporting and review in relation to the targets, national food strategy and local food plans.

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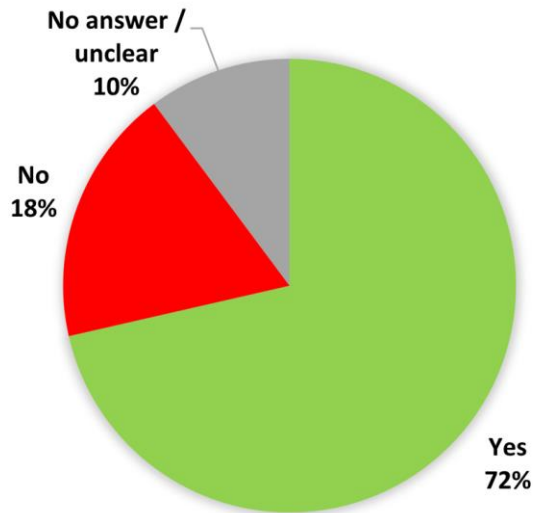
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3. General

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



	Number	%
Yes	35	72
No	9	18
No answer / unclear	5	10

With 'no answer / unclear' removed:

	%
Yes	80
No	20

There was strong support (72%) for the overarching principles of the Bill.

Dr Robert Bowen of Cardiff Business School, Cardiff University said:

... it is important to have a cohesive approach towards the food and drink industry in Wales, as this encompasses many different aspects of the Welsh economy and Welsh society. The industry is especially important for rural communities, particularly largely Welsh-speaking communities. The aims of creating greater cohesion, and developing greater scrutiny are important as the industry faces many challenges, from the impact of the Covid-19 pandemic, Brexit issues relating to supply chain issues, food standards and financial support to the industry, the impact of the War in Ukraine on the supply chain, the cost of living crisis and the impacts this has on individuals and businesses within the industry, and the climate crisis, which requires an urgent consideration of the industry can undertake sustainable practices. The key objective of achieving affordable, healthy, and economically and environmentally sustainable food is vital for Welsh society as a

whole, in ensuring that everyone in Wales has the opportunity to access affordable and healthy food, with localised supply chains supporting communities to access food in this way.

Health sector respondents supported the principles of the draft Bill and said health considerations should be at its heart. The **British Dietetic Association (BDA)** said:

We welcome the Bill to support a more joined-up approach to food within Wales working collaboratively across silos and sectors. While it is important to have multi sector involvement, health should remain an underlying ethos and should be embedded throughout the Bill to meet the food goals stated.

A radical, long-term approach is needed to overhaul the Welsh and UK food system with a focus towards sustainable, home grown, produced and distributed food. The Bill should encompass the key aim to balance the population's food supply to reduce food industry production and supply of high fat, sugar and salt (HFSS) foods. This is a paramount action to reduce the burden that diet-related ill health has on people's lives, economic stability and life expectancy. Through these actions we reduce impact of these illness on the NHS and health and social care services.

Aneurin Bevan Gwent Public Health Team said:

Yes. We agree with the principle of the need to establish a more sustainable food system that delivers on health, environment and economic objectives.

Food system challenges are complex and cross cutting by nature. Recent research in England found that 16 separate government departments had responsibility for an aspect of food policy. The establishment of a clear framework for action will support integrated action at local, regional and national levels.

'Brexit', Climate Change and Covid-19 have all presented challenges for our health and wellbeing. This triple challenge has impacted negatively on food security for a wide range of population groups in Wales. This is now heightening with the cost of living crisis and the drought to create a strong case for

the need for a long term food strategy to build a sustainable food system for Wales.

However some environmental sector respondents said they would withhold their full support unless the draft Bill is strengthened on restoring nature and mitigating and tackling climate change. **Wildlife Trusts Wales** said:

We would support the Bill if the proposed legislation would do more to ensure that the environment is both protected and restored through the production of sustainable food. At the moment we have serious concerns about the Bill in this area. Reducing harm to the environment as stated in the Bill is not sufficient given that it is now recognised that we are living through a Climate and Biodiversity Crisis, The proposed Food Bill needs to ensure, as a key overarching principle, that food production ensures the climate and nature crises are addressed. The Food Bill needs to be clear that the way to address these critical issues is through the promotion and adoption of agroecological practices.

RSPB Cymru and Monmouthshire County Council supported the wording in the objectives of the UK Government Food Strategy:

...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.

Landworkers' Alliance Cymru (LAC) said improving Wales' socio-economic well-being should be central:

Many workers in the food and agriculture sector are on poverty wages and many self-employed farmers and small food business owners are unable to pay themselves minimum wage. Simply increasing profits of some large farms, food manufacturers or restaurant chains will not address this. The principle should be enhancing the socio-economic well-being of those across the food and farming sector.

Food Policy Alliance Cymru (FPAC) and **LAC** said there should be clear links to existing legislation and plans in the draft Bill. **FPAC** gave examples of current policy contradictions:

The consultation document references the Social Values and Procurement Bill, The Agriculture Bill and the Community Food

Strategy. However, it has omitted reference to how it would interface with the Environment (Wales) Act, the Public Health (Wales) Act, national and local planning policies, and to provide sufficient detail on the relationship between the Food Bill and the Wellbeing of Future Generations Act. A key reason why this Bill is important is because to date policy incoherence has often led to mixed messages, missed opportunities and contradictory approaches. For Example the strategic direction of growth and industrialisation of the food manufacturing sector versus a clear policy direction of 'sustainable agriculture'; Minimum alcohol pricing as part of the Public Health (Wales) Act vs Welsh Government's Drink Strategy; planning policies that allow farms to pollute water courses whilst assets key to building food security (whether land or infrastructure) held in public ownership are lost to other sectors; and missed opportunities to connect Welsh Government's Food and Drink Retail Plan with opportunities within the Healthy Weight Healthy Wales (obesity strategy) - in particular around ambitions for a Healthy Food Environment.

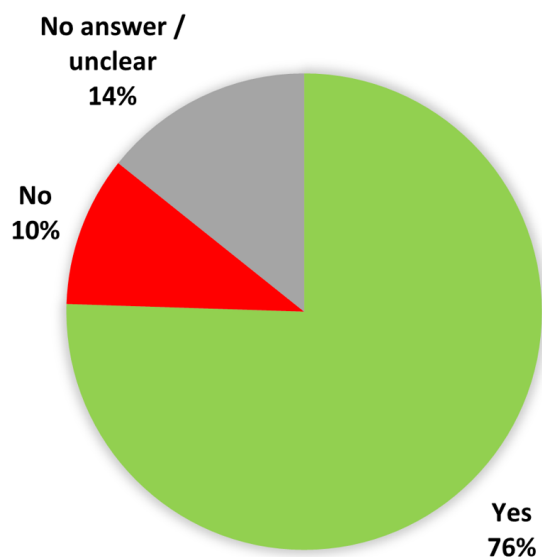
FPAC recommended “including a “purpose clause” to ensure the draft Bill takes account of the many aspects of the food system; for example”:

The Food (Wales) Bill is designed to create a new system of governance that drives a food system approach to achieving a healthier, sustainable and just food system for current and future generations in Wales by strengthening food sovereignty, restoring and maintaining biodiversity, mitigating and adapting to climate change and improving Wales's environmental, social and economic well-being. A National Food Commission, led by a Commissioner is tasked to oversee and deliver a co-produced National Food System strategy that aligns with agroecological principles and includes an action plan for achieving set targets. The Food Commission will collaborate with Ministers to ensure that new strategies and policies align and are integrated with established policies and strategies to provide that every person has access, in a dignified and culturally appropriate manner, to nutritious, sustainable and safe food at all times (prevention). In doing so, the Food (Wales) Bill integrates the five ways of working mandated by the WFGA.

However **David Smith, former member of the Wales Food Advisory Committee (2000-2006), the Food Standards Agency** said the draft Bill is “far too ambitious” and:

I am lukewarm about the Bill. It is very much a mixed bag and crucially uncosted. Further, I have difficulty in squaring it's interventionist nature (ref. public sector capacity and cost implications), in the context of the centralising thrust of UK Internal Market/free market legislation and the continuing serious reduction in public funds available from the UK Treasury. We need to focus upon deliverable public health priorities at this time, and I seriously doubt Welsh Government has the capacity to effectively undertake even some of the actions proposed in this Bill.

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



	Number	%
Yes	37	76
No	5	10
No answer / unclear	7	14

With 'no answer / unclear' removed:

	%
Yes	88
No	12

The large majority of respondents (76%) believe the Bill is needed.

Monmouthshire County Council said:

We agree that there is a definite need for this legislation. Food systems issues are complex and cross-cutting: responsibility for aspects of food policy is split between numerous government departments, and effective action requires cooperation between public, private, and third sectors. A Food Bill would provide clarity of purpose and set the framework for integrated action to help create a food system that delivers for place, people, and planet.

Betsi Cadwaladr University Health Board said:

Yes, this is a crucial piece of legislation and in addition to aiding accountability, with appropriate measures in place, it will help to frame and maintain a formal national focus for the ongoing need to develop our food systems and ensure food security. The legislation will support the delivery of a Whole System Approach to Healthy Weight by recognising the role that partners have in food policy and how this can impact on health

and wellbeing. Often many partners place responsibility for unhealthy weight on the NHS and fail to recognise the role they play in the system that is causing unhealthy weight. This legislation will strengthen the recognition that all partners have a role to play in food policy.

The **Countryside Alliance** said:

There is an absolute need for this legislation, particularly now when we are facing a food and energy crisis, as well as a Climate Change emergency. There needs to be a coherent approach to the production, processing, consumption, and disposal of food. The time is now and this Bill will be of significant importance.

The appalling developments in Ukraine have served as a sharp wake-up call for Wales, and the UK with regard to our sustainability when it comes to food and energy. The proposed framework has been developed at a timely moment however, the need for such a Bill was always there but not fully recognised.

RSPB Cymru was more cautious:

To what extent new legislation is required depends on how much of the proposed framework Welsh Government can establish using existing legislation and commitments, including the introduction of its Community Food Strategy. Therefore, until there is clarity on how Government intends securing a sustainable food system for Wales it is difficult to comment on how much new legislation may be required. However, as current Government plans do not appear to include provision for independent oversight or the means of aligning a food policy across portfolios there appears to be the need for legislation to establish a National Food Strategy and an independent Commission to oversee its delivery.

However **Food and Drink Federation (FDF) Cymru** questioned the need to legislate to achieve the draft Bill's objectives:

We would urge caution to legislating. While we very much welcome the focus on the future of food and its supply chain, there must be flexibility in how we address challenges that will

face it in the future. We do not agree that this necessarily needs to be embedded in legislation but rather that industry continues to work closely with the Welsh Government to deliver the overarching objectives in Bill, similar to those in the Vision for Food and Drink.

4. Food goals

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

A large majority of respondents agreed with the inclusion of food goals within the draft Bill (see question 4), albeit there are different views on what the goals should be and what form they should take (see question 5).

Aneurin Bevan Gwent Public Health Team said:

We welcome the introduction of the food goals as these set a clear vision and direction and will ensure that action is taken across the whole healthy sustainable food system agenda. The goals will provide a clear framework for action and will support integration of food policy objectives into policy across Government at all levels in line with the 'health in all policies' approach.

A framework of food goals would also be consistent with and complementary to Wales' well-being goals, which public bodies are working towards under the Well-being of Future Generations Act. This framework would provide the leadership vision for public bodies to deliver.

Similarly Brecon Beacons National Park Authority (NPA) said:

The BBNPA supports the inclusion of Primary and Secondary Food Goals because these underline the importance of making this sector environmentally, ecologically, economically and socially resilient and sustainable. They also provide the regulatory framework for the Food Commission Wales to track progress and make recommendations at a Welsh Government and Local Authority level. We agree that the Secondary Food Goals should function similarly to the WFG Act five ways of working.

The Welsh Local Government Association (WLGA) highlights 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'.

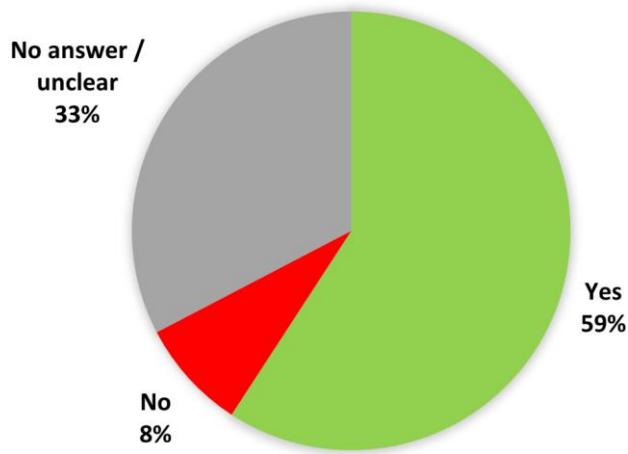
Some respondents feared some goals may be given higher priority than others. For example **Swansea Bay University Health Board (UHB)** said:

Our concern is that the health of our population and planet must not be perceived or treated as a secondary consideration to others aspects of the Goals. We are concerned that economic arguments may receive undue weighting and used to justify the status quo and or slow the pace of change.

The **National Trust** noted that:

... Wales does not have full control over all policy that influences the Primary Food Goals. These policy areas include UK trade policy, UK frameworks (for example the Internal Market Act and Organic Production Common Framework) and UK Government funding for Wales' agricultural support.

4. Do you agree with the inclusion of a primary food goal supplemented by secondary food goals?



	Number	%
Yes	29	59
No	4	8
No answer / unclear	16	33

With 'no answer / unclear' removed:

	%
Yes	88
No	12

Most respondents (59%) agreed with the inclusion of a primary food goal supplemented by secondary food goals. One third (33%) didn't express a clear view. Of those who did, 88% supported the proposals in the draft Bill.

A number of respondents, mainly from the environmental sector, wanted the goals to be strengthened to include restoring nature, and mitigating and tackling climate change. Many also called for agroecological principles to underpin the primary goal of the Bill. For example **WWF Cymru** said

... the primary goal is weak in its definition, giving it would be the primary focus of the legislation. We urge the team to put more definition in at this higher level to avoid ambiguity – for example, we couldn't support more food production at the degradation of our environment and wellbeing. We would like the primary goal to be explicit on the need to restore nature and mitigate and tackle climate change in Wales and overseas, and the crucial role that the food system needs to play in enabling this, and we believe that agroecological principles should underpin the primary goal.

FPAC felt the primary goal should set the overarching framework and recommended including a 'purpose clause':

FPAC are supportive of the idea of having a primary food goal, however we feel the goal is open to interpretation (an overarching goal of providing affordable, healthy, and economically and environmentally sustainable food for the people of Wales). It's FPAC's view that the Wales Food Bill's primary aim should be to provide a legislative framework that enables policy coherence across the food system guided by agroecological principles.

Other respondents from the environment and health sectors also said the primary goal should be more overarching. For example **Swansea Bay UHB** said:

The difference between the primary and secondary goals could be made clearer, as well as more detail on how they relate.

The primary goal should state the need to consider a whole system approach to the food environment – recognising the inter-dependency of all aspects of the food system i.e. health, environment, economic. This would be in line with the WFGA – which this should underpin. What will be needed are secondary goals that: give appropriate weighting to the different dimensions; recognise that the responses to these will be in conflict; and where there is a clear ranking or bias in support of the health of our nation..

Other views included ranking the goals and, conversely, putting all goals on an equal footing. The **NHS Commodity Advisory Group (NHS CAG)** was concerned that secondary goals trade off against each other, with a similar point made by the **WLGA** (see response to question 3). The **NHS CAG** said:

The CAG would agree with the primary food goal, however would note that most of the secondary food goals trade off against one and other.

Therefore, the CAG would recommend that the Bill explicitly prioritise and rank the secondary food goals. Academic guidance suggests that the prioritisation of these trade-offs should place environmental first, social issues second and economic issues third.

The **Countryside Alliance** said:

Differentiating the Food Goals between being “Primary” and “Secondary” is a distraction and could cause the “Secondary”

goals not to be taken as seriously and undermine the overarching goal.

We recognise what is trying to be achieved but feel the terminology should be reviewed to ensure that the “Secondary” goals set out in the draft Schedule have an equal footing as the “Primary” goals.

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

FPAC proposed alternative goals, including targets, to be put on the face of the Bill. A number of respondents endorsed FPAC's proposal in their own submissions. FPAC's alternative goals are as follows:

1. Food for all

Wales becomes the first nation to eliminate the need for food banks. Everyone in Wales has access to the food they need in a dignified way, in order to live a healthy life.

Target: Zero food banks in Wales by 2030

2. Food for public health

Increased consumption of vegetables, which are produced sustainably in Wales for Wales.

Educational provision on food related issues in each key stage in all schools.

Target: 75% of Eatwell's recommended vegetable consumption is produced sustainably in Wales by 2030

Target: 100% of schools including food in Key stage 1-3 curriculum

3. Net zero food system

A net zero food system for Wales.

Target: Net zero emissions from Wales' food system by 2035.

4. Farming for nature and climate

Increased amount of agroecological production.

Measure the environmental footprint of food and set a target to reduce the environmental footprint of food production and consumption.

Target: 100% agroecological production by 2035

Target: 75% reduction in environmental footprint of food production and consumption at home and overseas by 2035.

5. Sustainable food procurement

Increased public procurement of food from organic or agroecological Welsh producers.

Strategies for ensuring adequate supply and fit-for-purpose dynamic procurement tools should be addressed in the roadmap.

Target: 30% of public procurement of food is from organic or agroecological Welsh producers by 2030

6. Sustainable food sector jobs and livelihoods

Those who earn their living within the food system receive, or are enabled to receive, at least the living wage or a fair return for their work. Work, whether on land or sea, is free from exploitative practices, and is varied, engaging and empowering. Achieving cannot be achieved by focussing solely on individual businesses or by simply mandating higher wages, but requires analysis of the market structure in the food system that leads to low wages in farming and the food sector.

Target: 100% of food sector jobs paid the real living wage by 2030

Some respondents suggested 'food sovereignty' as a more appropriate concept than 'food security'. **FPAC** said:

We believe that the concept of food security does not distinguish where food comes from or how it is produced and distributed. Contrary to the concept of food security, how and where food is produced and consumed matters to the concept of food sovereignty. Food sovereignty emphasizes ecologically appropriate production, distribution and consumption, social-economic justice. and local food systems as ways to tackle hunger and poverty and guarantee sustainable food security for all peoples.

Respondents suggested a broad range of further issues that should be explicitly mentioned in wording of the food goals. These included:

- increasing public procurement of sustainable Welsh food;
- providing nutritious free school meals;

- reducing foodbank use;
- promoting social sustainability (as well as economic and environmental sustainability);
- enabling access to culturally appropriate food;
- maintaining and improving high food quality standards;
- regulating food labelling and advertising;
- protecting Welsh producers from substitution of domestic food production with cheaper imports produced to lower standards;
- maintaining and improving animal welfare standards;
- creating resilient food chains to improve food security;
- supporting the food and drink sector to remain competitive;
- supporting farming as a career choice within the education system;
- creating more equitable access to healthy and nutritious food;
- more focus on food skills development to ensure better, healthier diets and well-being; and
- including all parts of the supply chain under the food waste goal.

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

A number of respondents emphasised that sufficient resources should be provided to relevant public bodies to enable them to carry out their obligations under the bill and to deliver on the food goals.

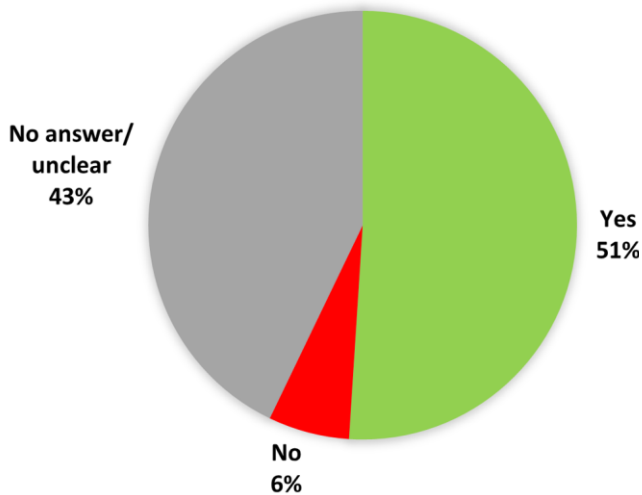
Aneurin Bevan Gwent Public Health Team highlighted the potential for regional collaboration:

Food system change is a complex area which regional and local public sector organisations will benefit from being resourced and supported to undertake.

Some of the food goals may be best delivered on a scale greater than that of a single local authority, e.g. regional collaboration. Consideration could be given to local authorities working together on wider geographies to jointly tackle food goals. This would enable a more flexible use of expertise and resources and to align with existing partnerships. This collaborative approach would also be consistent with the Public Services Boards created under the Well-being of Future Generations Act.

5. Targets

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.



	Number	%
Yes	25	51
No	3	6
No answer / unclear	21	43

With 'no answer / unclear' removed:

	%
Yes	89
No	11

Just over half of respondents agreed with including targets as a means of measuring progress against the food goals. Only 6% disagreed, with 43% not expressing a clear view. A large majority (89%) of those expressing a clear view agreed with including targets.

Aneurin Bevan Gwent Public Health Team said:

We support the introduction of targets and think that these are needed to give an indication of the scale of the ambition and the change that is required. Without targets, it would be difficult to measure progress.

Food targets would be consistent with the architecture of national indicators and milestones in the Well-being of Future Generations Act, and there should be read-across. E.g. Progressing food targets would also contribute to several of Wales' well-being goals.

Some respondents felt targets should be included on the face of the Bill (see response to question 5 for FPAC's alternative goals and targets). NFU Cymru said:

Whilst it is commendable that the Welsh Government has set and achieved some ambitious targets around things such as growing the size of Wales' food and drink sector, these targets are not statutory targets.

It is our view that it would be desirable to put targets in the Food (Wales) Bill on a statutory footing and oblige the Welsh Government to report to the Senedd on its performance against these targets. Mechanisms need to be established to ensure levels of domestic food production are assessed, maintained, and enhanced alongside climate, biodiversity and broader environmental objectives.

Social Farms and Gardens said:

We firmly believe targets should be clearly set out in this legislation. We are running out of time to act efficiently to protect what is left of our fragile eco-system. Setting high level targets and an absolute requirement to meet them is required. This is a once in a generation opportunity and if the legislation is too weak, we will achieve little from it.

RSPB Cymru stressed the need for targets to be aligned with existing legislation and commitments:

To be effective targets and objectives, including environmental, must either be set out in the Bill (rather than associated plans) to drive action and/or the Bill must be aligned with, and be an effective means of delivering the targets and objectives of other relevant legislation and commitments e.g., net zero. This includes contributing to the Well-being Goals, securing the sustainable management of natural resources (SMNR) and delivering the objectives of future legislation where the impact of the Welsh food systems is relevant e.g., the promised Environmental Protection (Wales) Bill on environmental principles, governance and nature recovery targets.

Swansea Bay UHB also said alignment was important, to minimise duplication:

It would be important to consider how these align to existing policy and legislation and to minimise duplication, including the WFGA and Healthy Weight Healthy Wales. It would be useful to consider a broad range of quantitative and

qualitative measures to inform these targets and to consider the evidence behind the targets and to what extent they will lead to the intended impacts.

The **BDA** and **Betsi Cadwallader UHB** questioned the wording of the draft Bill in this area saying targets should strike a balance between being achievable and aspirational. The **BDA** said:

The statement 'Before making regulations which set or amend a target, the Welsh Ministers must be satisfied that the target, or amended target, can be met', implies that only achievable targets will be set. Whilst it is clearly not appropriate to set unachievable goals, goals should be aspirational and sufficient bold to allow advancement of the food agenda in Wales.

The **WLGA** made a related point:

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.

Brecon Beacons NPA felt targets should be set at a local level:

We agree with the inclusion of targets for measuring progress towards achieving Food Goals. However, we believe that these should be set by the local authorities, e.g., within a Local Development Plan context or Regional Food Strategy. This would enable targets to reflect local / regional feasibility and distinctiveness.

Monmouthshire County Council noted:

... Wales enjoys a varied geography and demography and that these local variations should be considered in the setting of targets.

The **Woodland Trust** warned against single purpose targets:

We would be concerned if targets are used to try to drive single purpose actions to the detriment of other policy goals that do not have equivalent targets. An example is arguments for the afforestation of land purely for the purpose of meeting carbon sequestration targets as highlighted by FUW. Another example

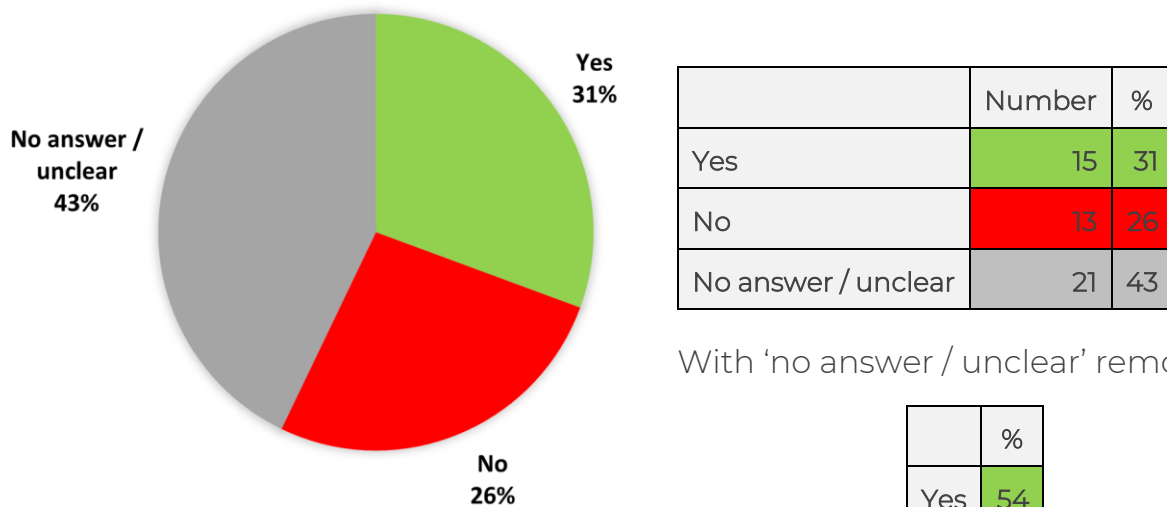
is the way river quality has been destroyed by the financial focus of the water industry.

We suggest that government needs a balanced basket of targets, which could include food targets but also need to include biodiversity targets, emission reduction targets amongst many others. We note that the Future Generations Act aspires to do this and suggest that all statutory targets should fit within and help develop the over-arching framework provided by this Act.

FDF Cymru opposed the need for targets as set out in the draft Bill saying the industry is already committed to achieving similar aims:

We do not agree that targets need to be included to work towards affordable, healthy and economically and environmentally sustainable food for people in Wales. The food and drink industry is committed to working with the Welsh Government on delivering their Vision for Food and Drink, where there are many similarities to the overall aims of this Bill. We believe time should be given to see how this work developed before pressing ahead with legislation. If targets are to be included, they must be developed in consultation with industry to ensure that they are realistic and not tied to political or arbitrary ambitions.

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



43% of respondents didn't express a clear view on this question. Of those who did, the majority (54%) agreed with the process for setting the targets.

FareShare Cymru said:

The process of seeking advice from the Welsh Food Commission and other independent parties with relevant expertise seems fine. However, it needs to be ensured that all relevant voices are heard and taken account of and this doesn't suggest how that will happen.

A number of respondents also emphasised the need for broad consultation on developing the targets. For example **Food Vale Partnership** said:

... we would encourage Welsh Ministers to consult with public body representatives during the target setting process to ensure the target data gathering and monitoring is achievable and manageable at a local level.

NHS CAG and Betsi Cadwaladr UHB both said:

These targets should be drafted in consultation with public organisations, specifically catering, dietetics, procurement and finance.

FDF Cymru said:

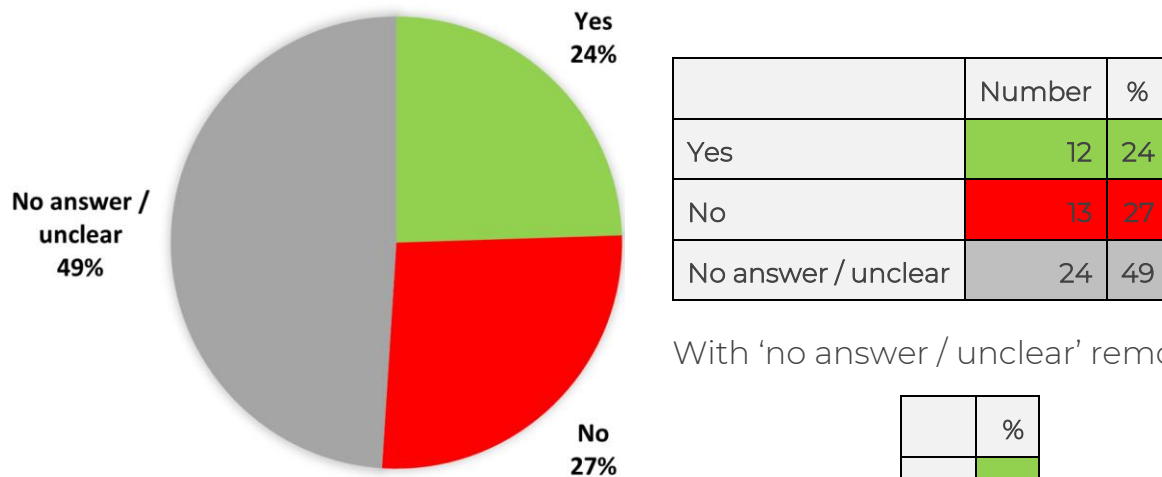
If industry is required in legislation to reach targets, it is imperative that they are heavily involved in developing them with the Welsh Government.

The RSPCA highlighted “the importance of ... including organisations with dedicated animal welfare expertise.”

Some of those who disagreed with process for setting the targets said the proposed Food Commission should lead on developing the targets rather than this being done by the Welsh Ministers. The draft Bill requires the Welsh Ministers to “seek advice from” the Commission before making regulations setting the targets. **Social Farms and Gardens, Size of Wales** and **WWF Cymru** said:

The process for setting the targets should be led by the Food Commission in co-production with food system stakeholders. The commission should be tasked with recommending targets from the co-production process to the Ministers for approval.

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



Almost half of respondents (49%) didn't express a clear view on this question. Of those who did a narrow majority (52%) didn't think the reporting mechanisms proposed in the draft Bill provide sufficient accountability and scope for scrutiny

NFU Cymru said the regulations setting the targets should be produced sooner than set out in the draft Bill. They also call for progress against the targets to be reported to the Senedd, in the form of a Ministerial Statement and debate, at least once a year:

We consider the reporting requirement to be particularly important and relevant on account of the current volatility facing the agricultural sector, as well as the challenge presented by changes to agricultural support.

Social Farms and Gardens and RSPB Cymru believed the draft Bill should be strengthened in terms of amending the targets as required. RSPB Cymru also recommended aligning the reporting with already established reporting requirements:

In addition to the reporting mechanisms set out in the draft Bill we recommend the duty for the Welsh Ministers to review the targets that they have set should so include a duty to implement changes where they are required to meet objectives and targets. We also recommend that reporting

should be aligned with other relevant reporting across Wales e.g., the State of Natural Resources Report (SoNaRR), climate change and biodiversity reporting (including designated sites condition).

A number of respondents including **Size of Wales**, **Betsi Cadwaladr UHB**, **Swansea Council** and the **WLGA** asked what the consequences were for public bodies failing to act or meet the targets. The latter said:

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').

Brecon Beacons NPA recommended adopting the approach taken by the UK Climate Change and Adaptation Committees:

We recommend emulating the target tracking and recommendation processes used by the UK Climate Change and Adaptation Committees, and the Risk Assessments they publish. These identify the targets in relevant sectors and track Government progress towards these, providing scope for recommendations and room for improvement by the relevant sectors.

FareShare Cymru warned against overburdening organisations outside the scope of the legislation:

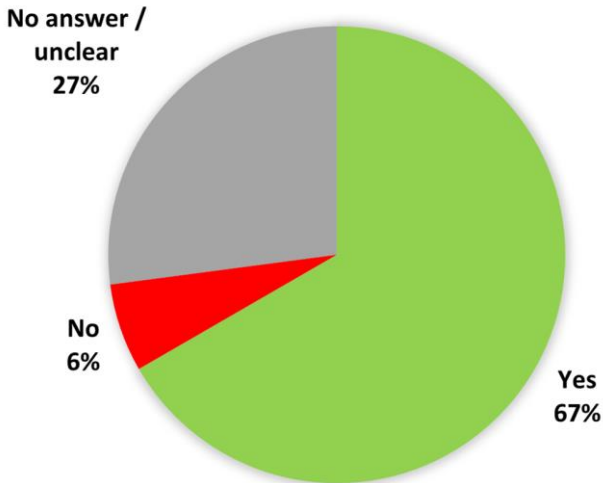
For example charities funded through local authorities or Welsh Government may be required to report and may already have large reporting requirements.

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

Some respondents including the Countryside Alliance, Betsi Cadwaladr UHB, Swansea Council and the BDA said that five years was too long a period between reviews of the targets. Timescales from 12 months to three years were suggested as alternatives.

6. Welsh Food Commission

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



	Number	%
Yes	33	67
No	3	6
No answer / unclear	13	27

With 'no answer / unclear' removed:

	%
Yes	92
No	8

The majority of respondents (67%) supported the need for a Welsh Food Commission, while over a quarter (27%) didn't express a clear view. Of those who did express a clear view, the vast majority (92%) supported establishing a Commission.

There was support for a Welsh Food Commission from across the farming, environmental and health sectors. **NFU Cymru** said:

NFU Cymru agrees with the establishment of a sufficiently resourced Welsh Food Commission which will monitor and report on progress towards Government commitments and statutory commitments to oversee the delivery of the food goals and food plans and to advise public bodies in relation to food matters. NFU Cymru agrees with the goals and functions of the Welsh Food Commission, its size, and the process for appointing its membership.

Size of Wales said:

This is essential. A Welsh Food Commission composed of members who understand the food, environment and policy landscape in Wales, will be key in helping to shape sustainable food production, equitable access to healthy, nature-friendly food and influencing outcomes across sectors - e.g. public, private and community.

While supporting the need for a Commission, some health sector respondents wished to avoid duplication. **Betsi Cadwaladr UHB** said it was:

... supportive of the proposal for a Welsh Food Commission. The Commission would need to consider how it will work alongside existing groups to prevent duplication and optimise outcomes through effective partnership working.

Similarly, the **Farmers Union of Wales (FUW)** said:

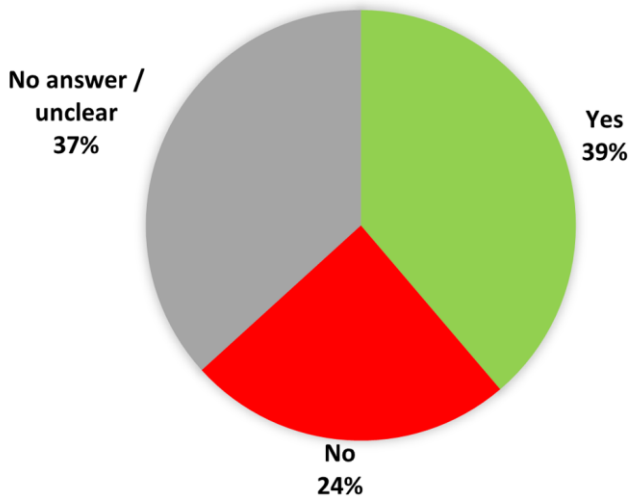
... such a group should bring existing food policy focussed groups together where appropriate as opposed to replicating work ...

A number of respondents stressed the need for the Commission and its work to be clearly aligned to the *Well-Being of Future Generations (Wales) Act 2015*, including alignment with the Welsh Government's well-being objectives. **FPAC** said:

... the Bill proposes that the Food Commission provides advice, scrutiny and reviews the performance of public bodies and the Welsh Government in relation to food goals. The Bill should go further and outline that it will consult with the Auditor General and Future Generations Commissioner to ensure alignment with their advisory, monitoring and accountability functions in relation to the Well-Being of Future Generations Act. For example, the Food Commission should coordinate advice, scrutiny, monitoring and accountability for public bodies around food goals with the work of the Auditor General and Future Generations Commissioner in relation to their functions to support and monitor public bodies' well-being plans.

The **BMA** questioned the need for a Commission saying "the proposed functions could be better picked up by the existing Future Generations Commissioner".

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



	Number	%
Yes	19	39
No	12	24
No answer / unclear	18	37

With 'no answer / unclear' removed:

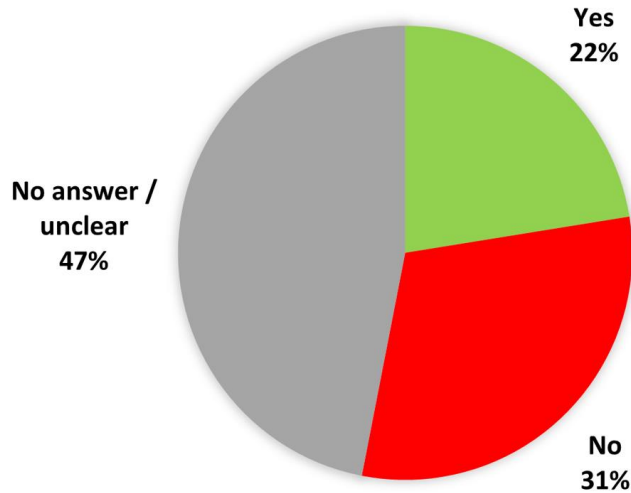
	%
Yes	61
No	39

A significant minority (37%) of respondents didn't express a clear view on the goals and functions of the proposed Commission. Of those who did express a clear view, the majority (61%) agreed with the goals and functions set out in the draft Bill.

The most common view held by those disagreeing was that the Commission should be responsible for leading development of the national food strategy, rather than this being done by the Welsh Ministers. The draft Bill requires the Welsh Ministers to "seek advice from" the Commission when developing the national strategy. In making this point some respondents also said a dedicated Food Commissioner could lead the work of the Commission. For example **FPAC** said:

The Bill has fallen short of suggesting a dedicated Food Commissioner for Wales. We feel that a Food Commissioner, together with the Food Commission, should hold responsibility for carrying out the process of coproduction (collaboration and involvement) to develop the Wales National Food Strategy, from the ground up. The Commission would present a draft Strategy, based on coproduction principles, to Welsh Ministers for approval. The Commission leading on this process will help ensure that the strategy is integrated across WG departmental priorities.

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



	Number	%
Yes	11	22
No	15	31
No answer / unclear	23	47

With 'no answer / unclear' removed:

	%
Yes	42
No	58

Almost half (47%) of respondents didn't express a clear view on the size of the membership of the Commission and the process for appointing its members. Of those who did express a clear view, a majority (58%) disagreed with the proposals set out in the draft Bill.

The most common issue raised by respondents was the need for the Commission's membership to be broad and inclusive. **Monmouthshire County Council** said:

We would suggest that the phrasing of para. 43 [of the consultation document] be strengthened. The current phrasing is 'In appointing an individual, the Welsh Ministers must have regard to the desirability of members having a range of skills and experiences.' This seems insufficient to ensure that the Commission remains truly diverse and representative of the many interests at stake. We suggest rather that 'Welsh Ministers must ensure that the Commission always represents a range of interests across society'.

Cwmpas said:

We believe it is essential that there is clear representation for the wider community on this Commission, as well as economic models within the food sector that prioritise community-led development and social value.

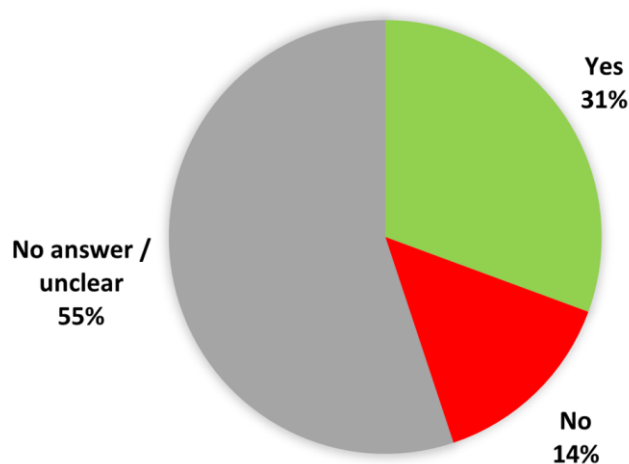
The **RSPCA** said it wanted to see stakeholder consultation as part of the appointment process:

While the Bill contains proposals for the Welsh Government to consult with the Senedd before appointing Commission members, we would urge a wider consultation process including impacted sectors - such as animal welfare, agriculture etc - when seeking suitable nominees to sit on the Commission.

A number of respondents sought to ensure that particular interests were represented on the Commission. **FDF Cymru** suggested membership should be restricted to representatives in the food and drink supply chain, suggesting:

Going beyond the breadth of the supply chain to include members from outside the food and drink industry would be at the detriment of the group.

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?



	Number	%
Yes	15	31
No	7	14
No answer / unclear	27	55

With 'no answer / unclear' removed:

	%
Yes	68
No	32

The majority (55%) of respondents didn't express a clear view on this question. Of those who did express a clear view, a significant majority (68%) agreed with 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.

The most common suggestion for improvement focused on maintaining continuity by avoiding a scenario where all Commission members left the Commission at the same time at the end of their term. **Social Farms and Gardens** said:

The re-appointment of a chair/member only once will ensure new individuals with different experiences are appointed to shape the commission as it evolves. However, consideration needs to be given to how continuity is met in the first number of years – if everyone has to be re-appointed at the end of the 5 year period there could be a cliff edge of skills and understanding lost in fell swoop – or the danger that in year 6 there is no new blood coming through the commission.

Perhaps a rolling 1/3 to step down every 3 years (after the initial period?)

Other suggestions included three rather than five year terms, and flexibility to review and amend the number of Commission members and the length of their terms should this be deemed necessary.

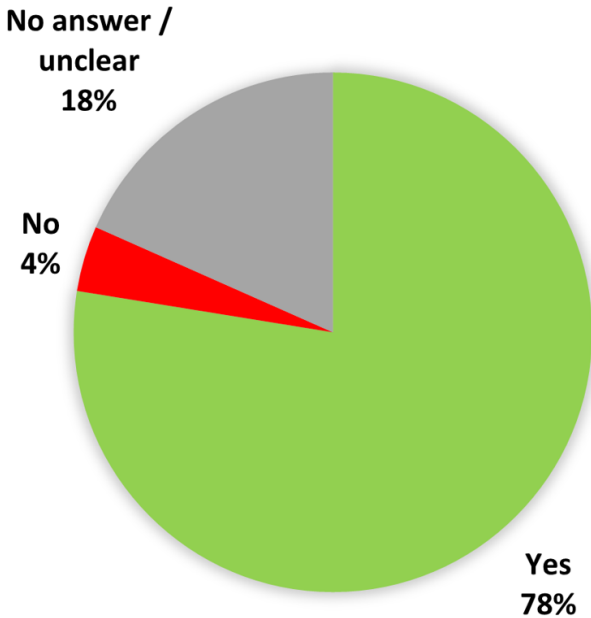
15. Do you have any additional comments on the Food Commission, including the resource implications of the proposals and how these could be minimised?

Monmouthshire County Council noted that the Commission must be adequately resourced to function effectively. **FareShare Cymru** warned that the “Commission should not become too big or costly to run as this would pull finance away from where it is needed in meeting the targets and goals.”

NFU Cymru emphasised the need for clear demarcation between the Commission and the Food Standards Agency to avoid public confusion around their respective roles and responsibilities. **NFU Cymru** also said it would be appropriate that Commission members should appear for scrutiny before relevant Senedd committees periodically.

7. National Food Strategy

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



	Number	%
Yes	38	78
No	2	4
No answer / unclear	9	18

With 'no answer / unclear' removed:

	%
Yes	95
No	5

A large majority (78%) of respondents agreed there's a need for a national food strategy, only two respondents (4%) disagreed. The majority increases to 95% when those who didn't provide a clear answer are removed.

Betsi Cadwaladr UHB said:

Yes, BCUHB strongly agrees there is a need for a national food strategy. Radical change in the food system is needed to improve public health and reduce diet related ill health in Wales. This should be explicit within the strategy. The National Food Strategy should be written with experts across disciplines to ensure a holistic vision for food in Wales that doesn't lead to unintended consequences in other areas.

Size of Wales said:

Yes. We very much welcome that the draft Bill intends 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. A national food strategy could be core to achieving this joined up approach.

As rightly noted in the bill, 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. We cannot deal with agriculture alone and not the other parts of the food system. We have to deal with food production, consumption and everything else in between in a joined-up manner if we want to ensure that one policy in one food area doesn't have unintended consequences for another food area.

Wildlife Trusts Wales said:

We agree on the need for a national food strategy to ensure a joined up approach across all Government departments that have a responsibility for the food system in Wales. This strategy needs to have agroecological principles at its core which will result in multiple benefits for both people and the environment.

Torfaen County Borough Council said:

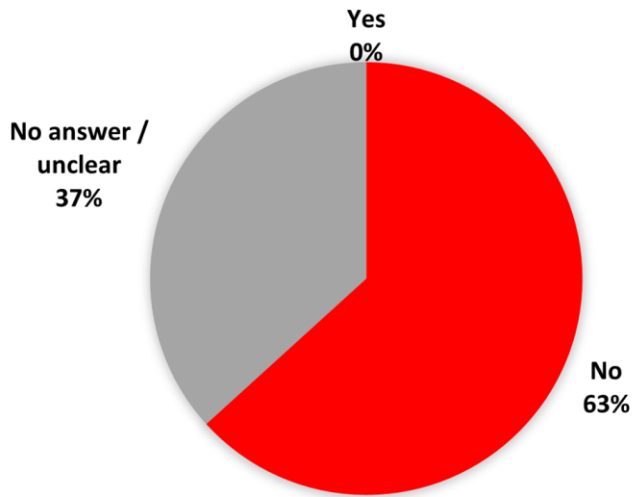
A National Food Strategy will provide local Food Partnerships the powers to invest in the food system, it will create the opportunity to wider engage with businesses and the community. It will also create synergy in measuring success and pave the way to creating sustainable food places.

However **FDF Cymru** was concerned about duplication:

We are supportive of strategies that recognise the importance of food and drink to Wales. We welcomed the publication of the Welsh Government's Vision for Food and Drink last year. It is unclear at this time what another strategy would achieve as we imagine it would replicate much of the targets and themes in the Vision.

If another strategy were to be developed, there must be consideration to how it would interact not only with the Welsh Government's vision but also with the Good Food Nation Bill and the Government's National Food Strategy for England.

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



	Number	%
Yes	0	0
No	31	63
No answer / unclear	18	37

With ‘no answer / unclear’ removed:

	%
Yes	0
No	100

The majority (63%) of respondents don’t believe Welsh Government food related strategies are joined up enough. 37% didn’t express a clear view. No respondents answered ‘yes’ to this question, therefore 100% of those who expressed a clear view believed the strategies weren’t sufficiently joined up.

Social Farms and Gardens said:

No, not at all. Food operates across all areas of life, as the Incredible Edible Movement would say ‘if you eat you are in the club’. Yet in government “food” is siloed – perhaps in terms of agriculture, or food production. It is separately thought of in terms of health and hardly features in Net Zero plans! There is an opportunity to develop a closer working via local food partnerships. This would develop a coherent and strengthened approach to working on shared opportunities and challenges locally, as well as a Food Commission nationally to provide governance and oversight.

Monmouthshire County Council said:

Though Wales benefits from overarching legislation that sets a context for joined-up food policy (e.g. the Wellbeing of Future

Generations Act; the Environment Act), and enjoys a strong ethos of partnership working, there is still some way to go in fully integrating the economic, health, social, environmental, and agricultural agendas.

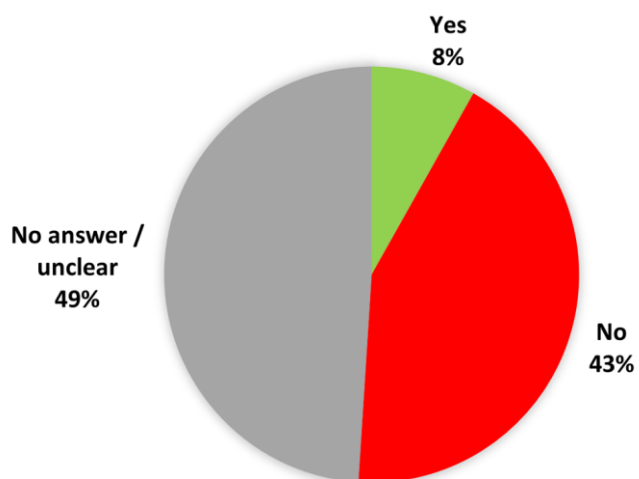
Each has different interest groups, which can pull in different directions and occasionally directly conflict (e.g. when negotiating the discourse around shifts in diet or land management). A carefully worked national strategy would be a step forward in reconciling these agendas to provide clarity to stakeholders and help secure a healthy, sustainable, and secure future for Wales.

Aneurin Bevan Gwent Public Health Team said:

We recognise that progress is being made by Welsh Government to join up key agendas. For example, the recent commitment to provide universal Free School Meals to all Primary aged children also included the desire to increase the amount of locally produced food. This ties in with the commitment to produce a Community Food Strategy to strengthen local food supply chains.

However, we feel that greater integration is required. The 'Healthy Weight: Healthy Wales' long term strategy to prevent and reduce obesity includes a national priority area to shape the food and drink environment towards sustainable and healthier options. This priority would benefit from alignment with economic and agricultural policy so that longer term planning of Welsh food production could better meet health goals.

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?



	Number	%
Yes	4	8
No	21	43
No answer / unclear	24	49

With 'no answer / unclear' removed:

	%
Yes	16
No	84

Almost half of respondents didn't express a clear view on this question. Of those who did, a large majority (84%) didn't believe the draft Bill does enough to ensure Welsh Ministers take advice and consult on the national strategy before it's made.

The firm view of respondents was that the Bill should be stronger on specifying engagement and consultation with stakeholders, experts and the public during the process for developing the national strategy. A number of respondents said the strategy should be co-produced. For example, **FPAC** said:

In light of the five ways of working (integration, involvement, collaboration, prevention and long-term thinking) in particular, involvement, integration and collaboration, there is a legal mandate to engage with as wide a range of actors within the food system as possible to build the National Food Strategy. Therefore, a set of principles that guide the actions of the Commission is needed. As everyone is a consumer, this means engaging with the wider public in the process, for example through citizen assemblies, and ensuring that the resulting vision reflects the identified priorities and builds upon their lived

experiences. In this way we also support the development of food citizens and the need to build stronger and more empowered communities and to ensure a Wales Food System Strategy that is co-produced.

Monmouthshire County Council said:

We suggest that in para. 65 the wording ‘persons they consider to be independent and to have relevant expertise’ is vague. It may be beneficial to specify certain sectors that must be consulted, representing diverse interests from the whole supply chain (e.g. the farming and horticulture community, businesses of all sizes, healthcare professionals, local authorities, consumers), while also allowing Ministers to exercise their judgement as to who else they wish to consult.

The **WLGA** said consultation with local authorities as a democratically elected tier of government will be vital. **Swansea Bay UHB** said the strategy should be subject scrutiny in the Senedd.

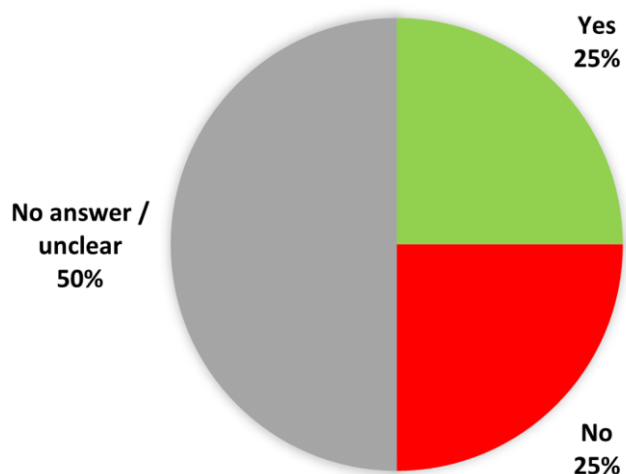
Size of Wales, Social Farms and Gardens, the **National Trust** and others said consultation with the Future Generations Commissioner should be a requirement (the draft Bill says the Welsh Ministers “may seek the advice of the Future Generations Commissioner).

Some respondents suggested an independent reviewer could develop the strategy. For example **Bwyd Sir Gâr** said:

The Bill does state that ministers must consult persons they consider to be independent and have the relevant expertise – could this go further with an independent reviewer being tasked with developing the food strategy as opposed to the ministers. If this is not possible other relevant commissioners (e.g. Future Generations Commissioner), must be consulted (as opposed to ‘may be consulted’).

Size of Wales said the list of international obligations the Welsh Ministers must have regard to should be expanded to include the United Nations Declaration on the Rights of Indigenous Peoples and the right of Free, Prior and Informed Consent relating to activities on Indigenous lands.

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?



	Number	% ¹
Yes	12	25
No	12	25
No answer / unclear	25	50

With 'no answer / unclear' removed:

	%
Yes	50
No	50

Just over half of respondents didn't express a clear view on whether the provisions in draft Bill relating to reporting on the national food strategy are sufficient. Those who did were equally split on whether the draft Bill did enough.

Bwyd Sir Gâr, Social Farms and Gardens, Size of Wales and WWF Cymru said:

We would like to see it made explicit that there would be reciprocal and good communication and support between a food commission and local food partnerships, to ensure that there is consistent and even progress at a local level.

Some respondents wished to see annual or interim reporting. For example, the BDA said:

... Yes 2 yearly detailed reports are sufficient given the scope of the strategy, although 12 month interim progress reports would be helpful in ensuring momentum in the initial establishment

¹ Figures subject to rounding

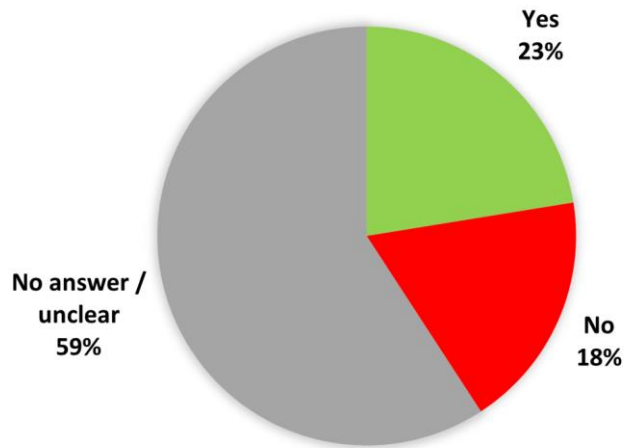
period. The reports should be inclusive and appropriate for all stakeholders including the lay person.

Others wanted flexibility to review and amend actions if deemed necessary.

FareShare Cymru said:

It would seem essential that reporting not only includes progress made but also considers what hasn't been achieved and why and what can be done to address that, as well as any new actions that may be needed.

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?



	Number	%
Yes	11	23
No	9	18
No answer / unclear	29	59

With 'no answer / unclear' removed:

	%
Yes	55
No	45

Most respondents (59%) didn't express a clear view on whether the provisions in the draft Bill relating to reviewing of the national food strategy are sufficient. Of those who did, the majority (55%) said the provisions are sufficient.

The most common suggestion made by respondents was that the strategy's five year review period is too long. The NHS CAG said:

... the five-year time period for reviewing the national food strategy is a significant amount of time. The CAG would suggest that the National Food Strategy is reviewed every two years to account for change, with wider engagement required to ensure consensus across all stakeholders.

FareShare Cymru said:

The provisions for review seem to be in line with the review periods of other strategies. It is understood that some actions will take time to be implemented and make a difference. However, perhaps there needs to be provision for reviewing more frequently if necessary or deemed appropriate. Few people could have predicted the events of the last few years, and yet the impact on the food system has been dramatic at

times, and so the ability to bring forward a review may prove beneficial.

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?

FareShare Cymru said:

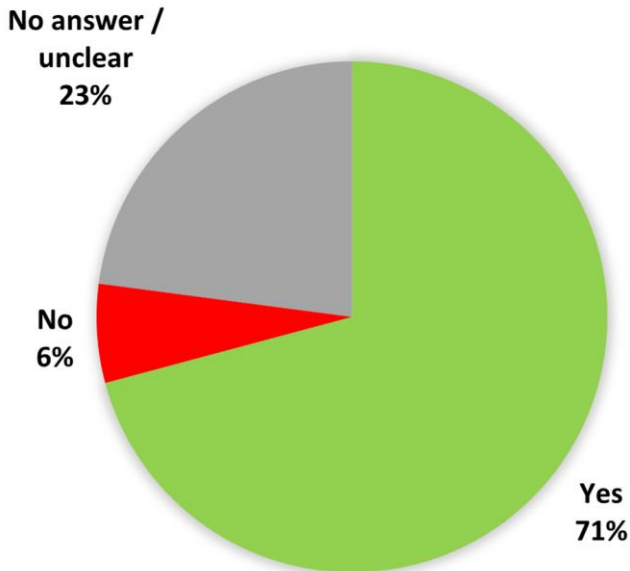
There is a need to consider the resource implications and funding requirements of organisations that will be impacted by actions/targets set out in the national plan.

The Campaign for the Protection of Rural Wales said:

This Bill and its aims could simply place a duty on the Ministers and their office without the need for a commission, if costs were too great.

8. Local Food Plans

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



	Number	%
Yes	35	71
No	3	6
No answer / unclear	11	23

With 'no answer / unclear' removed:

	%
Yes	92
No	8

A large majority (71%) of respondents agreed there's a need for local food plans. The majority increases to 92% when those who didn't provide a clear answer are removed.

While there was widespread support for local food plans there was also a strong feeling that there should be developed collaboratively and there should be flexibility to reflect local issues and challenges. **Aneurin Bevan Gwent Public Health Team** said:

Yes we think local food plans are needed. Action is needed by public bodies at all levels covering local, regional and national if we are to shift the food culture and achieve broad food system and Wales' well-being goals.

It is worth noting that place based food strategies have been developed across the UK. These go beyond the remit of a single local authority or health board and reflect broad ownership of the agenda across business, voluntary, community and public sector. There are also examples where local authorities have

published food plans that are solely focused on the actions that the local authority itself can take.

A number of respondents, including **Cultivate**, **Monmouthshire County Council**, **Cwmpas**, **Social Farms and Gardens** and **Bwyd Sir Gâr** said the existing network of Local Food Partnerships and other organisations, including Public Services Boards, should play a prominent role in developing local food plans. Many said Local Food Partnerships should have an explicit role in developing and delivering the plans. **Torfaen County Borough Council** said:

We also agree that each area should develop local food plans, but we believe this should be a multi sectoral place based approach and owned by the multi sectoral Food Partnership. There is no need to confuse the issue with duplicate plans for different public sector bodies.

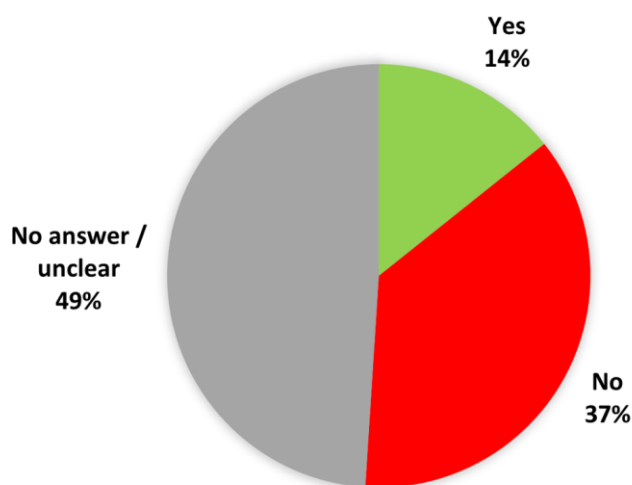
FPAC said:

... targets could then be built into Wellbeing Objectives (see A.1) and delivered through local food plans overseen at a local level by Food Partnerships working in conjunction with Public Service Boards. Examples of where this practice is already developing can be seen through the emerging Network of Sustainable Food Partnerships and in particular Blaenau Gwent Food, Bwyd Sir Gar, Food Cardiff, Monmouthshire Food and Food Vale.

RSPB Cymru said:

... there should be a duty (rather than have regard for) placed on public bodies to incorporate the National Food Strategy priorities into their decision making e.g. when sourcing and buying food.

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?



	Number	%
Yes	7	14
No	18	37
No answer / unclear	24	49

With 'no answer / unclear' removed:

	%
Yes	28
No	72

Just under half of respondents didn't express a clear view on whether the draft Bill does enough to ensure that public bodies consult on their local food plans before they're made. Of those who did express a clear view, the large majority (72%) said the draft Bill didn't do enough in this area.

Responses to this question were in a similar vein to the responses to question 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?).

Many respondents felt the draft Bill should be stronger on requiring engagement and consultation with local stakeholders and local communities during the process for developing the local food plans. For example, **Social Farms and Gardens** said:

There is a need for local food plans to ensure plans are relevant to the local area. The draft Bill does not yet set out enough detail to ensure the public bodies consult widely on their local food plan. Any such plan has to be shaped in partnership with key local stakeholders including local businesses, farmers, producers, and the communities it may have an impact on.

The language uses the terms 'may consult' which does not go far enough to ensure the local food plan is developed in true partnership with the public body and the communities they serve.

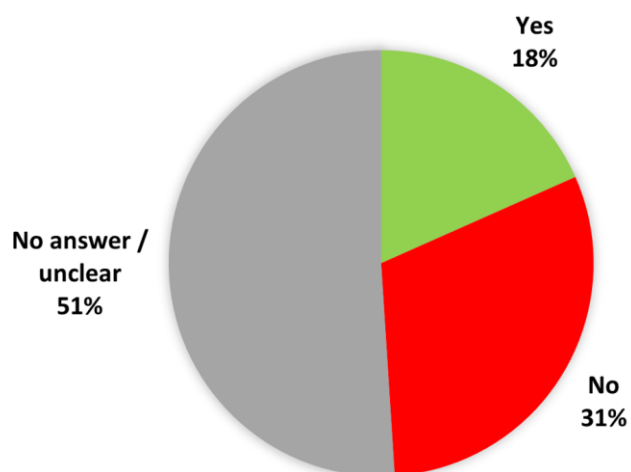
Swansea Bay UHB emphasised the need to take advantage of existing mechanisms and said there should be a requirement for public bodies to demonstrate how they have consulted relevant groups:

There are existing mechanisms in place through the WFGA and the Public Service Boards which could be utilised, but it would be useful to consider how local food plans could align with this and to consider what the added benefit would be of introducing additional mechanisms. Equally and additionally, there should be a requirement that public sector bodies demonstrate how they have consulted with each other and involved a wide range of relevant stakeholders/target audiences in the production of local food plans e.g. growers, suppliers, staff, population groups, vulnerable groups etc.

FDF Cymru said the industry should also be consulted:

As part of the consultation process, public bodies should not only consult the Welsh Food Commission but also food and drink businesses within their local area and their representative organisations.

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?



	Number	%
Yes	9	18
No	15	31
No answer / unclear	25	51

With 'no answer / unclear' removed:

	% ²
Yes	37.5
No	62.5

Just over half of respondents didn't express a clear view on whether the provisions in the draft Bill relating to reporting on the local food plans are sufficient. Of those who did express a clear view, the majority (62.5%) said the draft Bill didn't do enough in this area.

Some respondents said reporting should be integrated with existing mechanisms. **Aneurin Bevan Gwent Public Health Team** said public bodies should embed reporting on progress towards their local food plans in their corporate annual reports. **Size of Wales** said (in the context of public procurement):

Public Service Board Well-being Plans should include public value criteria around environmental, welfare and nutritional standards in food production.

Swansea Bay UHB said:

² Figures subject to rounding

There should be a requirement to demonstrate how they report back to the relevant local stakeholders/target audiences as part of a fair, transparent and co-productive approach to the development, reporting and reviewing of local food plans, which will also help to drive up local engagement in food issues.

WWF Cymru asked:

What are the consequences if a public sector body fails to act? There should be a minimum requirement to ensure progress is made.

Fareshare Cymru said:

As with the national food plan it would seem essential that reporting not only includes progress made but also considers what hasn't been achieved and why and what can be done to address that, as well as any new actions that may be needed.

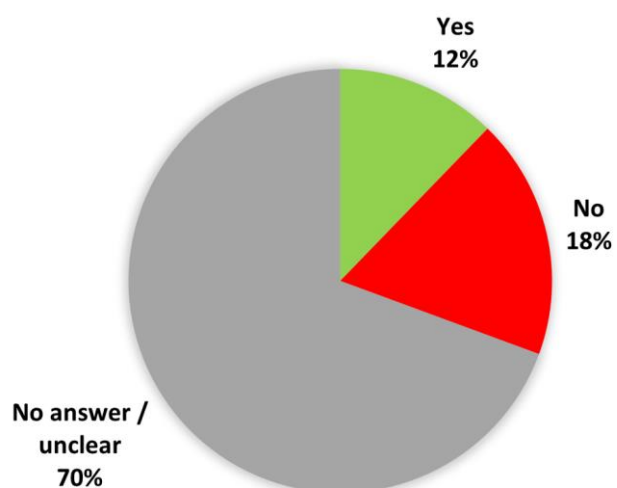
NFU Cymru suggested more frequent reporting:

We believe the requirement to report on local food plans at least every two years could be more ambitious, particularly as we move away from CAP legacy support schemes and farmers are subject to significantly increased costs of production which are likely to persist for some time into the future.

The **BDA** and **Betsi Cadwaladr UHB** raised a question of practicality and suggested a different approach. The latter said:

We would question how practical it will be for each public body to consult with The Welsh Food Commission prior to making a report against their local food plan. An alternative approach could be that the Welsh Food commission provide a framework for reporting achievements against food goals and targets.

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?



	Number	%
Yes	6	12
No	9	18
No answer / unclear	34	70

With 'no answer / unclear' removed:

	%
Yes	40
No	60

A large majority of respondents (70%) didn't express a clear view on whether the provisions of the draft Bill relating to reviewing of the local food plans are sufficient. Of those who did express a clear view, the majority (60%) said the draft Bill didn't do enough in this area.

Some respondents including **Swansea Council** and the **NHS CAG** said the five-year timescale for reviewing the local food plans is not frequent enough. The **BDA** suggested reviewing every two years would be better. **FareShare Cymru** said:

... perhaps there needs to be provision for reviewing more frequently if necessary or deemed appropriate. Few people could have predicted the events of the last few years, and yet the impact on the food system has been dramatic at times, and so the ability to bring forward a review may prove beneficial.

Aneurin Bevan Gwent Public Health Team suggested aligning with existing review cycles:

Yes we think reviewing every 5 years is sufficient. Consideration should also be given into how local food plans can align with key plans already in place and encourage public bodies to embed where feasible. For example, Local Well-being Plans (WFG Act) at regional/local level, and Integrated Medium-Term Plans (IMTPs) in Local Health Boards (organisational-level).

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

A number of respondents including the WLGA, Swansea Council and Swansea Bay UHB said it was necessary to ensure public bodies are provided with the necessary resources to develop and implement the local plans successfully. Betsi Cadwaladr UHB said:

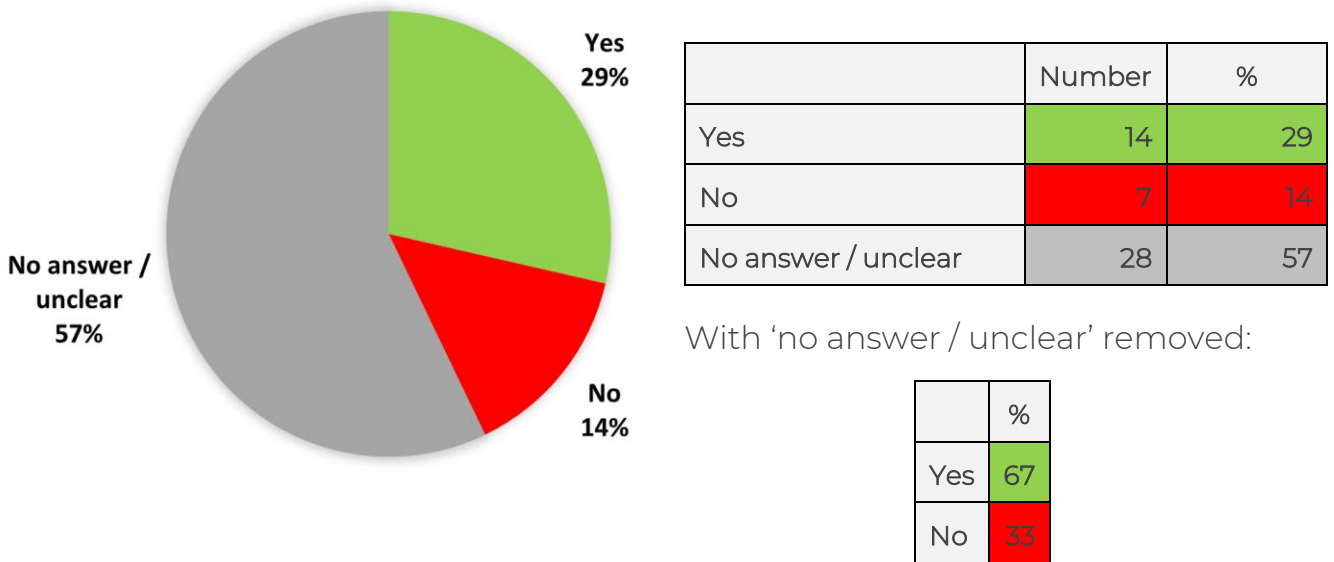
Effective development of local plans, monitoring and reporting on progress will be dependent on the capacity of public sector staff who will already be under pressure. A proposed framework for developing a food plan for all areas could be helpful alongside possible guidance on local leadership.

The BDA said:

Capacity to support local plans may prove challenging in some areas of Wales, for example in North Wales BCUHB serves 6 LA areas, if each derive their own local plan health board staff may struggle capacity-wise to support all areas. Will there be some recommendations/guidance around scope for developing local plans?

9. Other

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



With 'no answer / unclear' removed:

The majority of respondents (57%) didn't express a clear view on whether they agreed with the list of persons defined as being a 'public body' for the purpose of the Bill. Of those who did express a clear view, the majority (67%) said they agreed with the proposals in the draft Bill.

A number of health sector respondents suggested expanding the list of public bodies defined in the draft Bill to mirror those defined in the *Well-being of Future Generations (Wales) Act 2015* or the *Public Contract Regulations 2015*. The NHS CAG said:

... other public sector organisations should be captured under the notion of a public body. This would include NHS Trusts, NHS Special Authorities etc. The CAG would suggest the utilisation of the Public Bodies as defined by the Public Contract Regulations 2015 or the Well Being of Future Generations Act 2015 as a means to improve this.

CPRW suggested:

The list of 'public bodies' could be extended to include any organisation that receives funding from public funds.

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

NFU Cymru said it didn't wish to see the Welsh Ministers have the power to remove themselves from the definition of a public body:

We note the power conferred upon Welsh Ministers to expand and amend the field of persons captured by the definition of a 'public body' and it may well be the case that at some stage in the future Welsh Ministers may need to revisit this list. We would however wish to be clear that it should not be open to Welsh Ministers to amend subsection 1 so that Welsh Ministers are not captured by the meaning of 'public body'.

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

Most respondents didn't answer this question. Those that did said they wished to see the legislation take effect as soon as possible. The **BDA** said:

We welcome this Bill and would advocate an early commencement, particularly given the current economic crisis, food poverty and global food supply disruptions and shortages .

10. Further comments

Audit Wales suggested changes to the provisions in the draft Bill relating to audit:

The audit provisions set out in Part 4 of the draft Bill need some changes to bring them up to the standard that now applies to most Welsh public bodies, for example, all Local Government and NHS bodies.

A key missing provision is an equivalent of section 17(2)(d) of the Public Audit (Wales) Act 2004, which requires the Auditor General to satisfy himself that a body has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.

And:

The audit provisions also need to be brought up to the standard that now applies to new bodies in terms of deadlines for accounts. Section 17 of the draft Bill requires the Food Commission to submit its accounts to the Auditor General for Wales no later than 31 August in the following financial year and for the Auditor General to lay the audited financial statements before the Senedd within four months of the accounts being submitted. However, there needs to be a provision to cover the scenario where the Auditor General is unable to give an opinion and lay it before the Senedd within four months of the accounts being submitted.

Some respondents highlighted that more information is needed about how the bill would interact with other key legislation. For example **Social Farms and Gardens** said:

The consultation document references the Social Values and Procurement Bill, The Agriculture Bill and the Community Food Strategy. However, it has omitted reference to how it would interface with the Environment (Wales) Act, the Public Health (Wales) Act and to provide sufficient detail on the relationship between the Food Bill and the Wellbeing of Future Generations Act.

Betsi Cadwaladr UHB and the **BDA** asked how the requirements of the Bill would interact with private sector activities that operate across the UK. **Betsi Cadwaladr UHB** said

Consideration will need to be given to how private sector providers (retailers, manufacturers etc.) will be engaged with as part of the national food strategy. In particular large retailers and manufacturers who are based outside of Wales. It should be clear how legislation will be implemented when a company is subject to different legislation in the four countries across the UK.

The **BDA** and **FDF Cymru** said the aims of the Bill should align with legislation and policy in Scotland and England. The latter said these should complement one another to address the UK food supply chain as a whole.

A number of respondents including **Food Vale Partnership**, **Torfaen County Borough Council** and **Food Cardiff** reiterated the need for the local bodies defined in the draft bill (local authorities and public health boards) to be adequately resourced. **Blaenau Gwent Local Food Partnership** said:

If the draft Food (Wales) Bill does become legislation, further funding would be vital for local organisations such as Local Authorities and Health Boards to be compliant with the primary and secondary food goals. Local food partnerships could play a key role in this case, local food partnerships have the skills and relationships to connect and coordinate food goals and local food plans with the support of local anchor institutions.

11. Annex 1: List of respondents

The following organisations and individuals responded to the consultation:

Aneurin Bevan Gwent Public Health Team
Aneurin Bevan University Health Board
Audit Wales
Betsi Cadwaladr University Health Board
Blaenau Gwent Food Partnership
Brecon Beacons National Park Authority
British Dietetic Association
British Medical Association Cymru Wales
Bwyd Sir Gâr Food
Campaign for the Protection of Rural Wales
Coed Cadw, The Woodland Trust
Countryside Alliance
Cultivate
Cwmpas
David Smith, former member Wales Food Advisory Committee (2000-2006), Food Standards Agency
Diabetes UK Cymru
Dr Robert Bowen, Cardiff Business School, Cardiff University
FareShare Cymru
Farmers Union of Wales
Food and Drink Federation Cymru
Food Cardiff
Food Policy Alliance Cymru
Food Vale Partnership
Hybu Cig Cymru

Landworkers' Alliance Cymru
Monmouthshire County Council
National Sheep Association
National Trust Cymru
Nature Friendly Farming Network Cymru
NFU Cymru
NHS Wales Commodity Advisory Group (Strategic Group)
RSPB Cymru
RSPCA Cymru
Size of Wales
Social Farms and Gardens
Swansea Bay University Health Board
Swansea Council
Third Sector Community Food Providers Network, Newport
Torfaen County Borough Council
Welsh Local Government Association
Wildlife Trusts Wales
WWF Cymru
Seven private individuals

12. Annex 2: Summary of responses table

Food (Wales) Bill Consultation	Totals			%			%	
49 responses received	? = no answer or unclear answer						Excluding no or unclear answer	
	Yes	No	?	Yes	No	?	Yes	No
General								
1. Do you agree with the overarching principles that the Bill seeks to achieve?	35	9	5	72	18	10	80	20
2. Do you think there is a need for this legislation? Can you provide reasons for your answer.	37	5	7	76	10	14	88	12
Goals								
4. Do you agree with the inclusion of a Primary Food Goal supplemented by Secondary Food Goals?	29	4	16	59	8	33	88	12
Targets								
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.	25	3	21	51	6	43	89	11
8. Do you agree with the process for setting the targets?	15	13	21	31	26	43	54	46
9. Do you think the reporting mechanisms set out in the draft Bill provide sufficient accountability and scope for scrutiny?	12	13	24	24	27	49	48	52
Welsh Food Commission								
11. What are your views on the need for a Welsh Food Commission?	33	3	13	67	6	27	92	8

Food (Wales) Bill Consultation	Totals			%			%	
12. Do you agree with the goals and functions of the Welsh Food Commission? If not, what changes would you suggest?	19	12	18	39	24	37	61	39
13. Do you agree with the size of the membership of the Food Commission and the process for appointing its members?	11	15	23	22	31	47	42	58
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	7	27	31	14	55	68	32
National food strategy								
16. Do you agree that there is a need for a national food strategy?	38	2	9	78	4	18	95	5
17. Do you believe the Welsh Government's current strategies relating to 'food' are sufficiently joined up / coherent?	0	31	18	0	63	37	0	100
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?	4	21	24	8	43	49	16	84
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? ³	12	12	25	25	25	50	50	50
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?	11	9	29	23	18	59	55	45
Local food plans								
22. Do you agree that there is a need for local food plans?	35	3	11	71	6	22	92	8

³ Figures subject to rounding

Food (Wales) Bill Consultation	Totals			%			%	
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?	7	18	24	14	37	49	28	72
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? ⁴	9	15	25	18	31	51	37.5	62.5
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?	6	9	34	12	18	70	40	60
Definition of 'public body'								
27. Do you agree with the list of persons defined as being a 'public body' for the purpose of this Bill?	14	7	28	29	14	57	67	33

⁴ Figures subject to rounding