

Peter Fox OBE MS

Member of the Senedd for Monmouth

16 February 2023

Dear Peter

Food (Wales) Bill – Oral evidence to the Legislation, Justice and Constitution Committee

Thank you for appearing before us on 30 January as Member in charge of the Food (Wales) Bill, and for your letter of 25 January which helped inform our consideration.

As I mentioned at the end of the session, there are a number of issues which we were not able to raise with you during the evidence session.

I would therefore be grateful to receive your response to the questions listed in the Annex by 10 March 2023.

Yours sincerely,

*Huw Irranca-Davies*

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Chair

## Annex

1. You told us that you met with the Minister for Rural Affairs and North Wales, and Trefnydd, to discuss the Bill on three occasions. What discussions have you had with other UK administrations about the Bill?
2. The Bill gives the Welsh Ministers the power to amend the descriptions of the secondary food goals. Why did you consider this to be necessary rather than having the certainty of the descriptions fixed on the face of the Bill? What would prevent the descriptions being amended to such an extent that they were significantly different from those that exist now, or from being removed altogether so as to render the secondary food goals meaningless?
3. The Bill requires the Welsh Ministers to consult with the new Welsh Food Commission before amending the descriptions of the secondary food goals. Why are the Welsh Ministers not required to consult other appropriate bodies as in sections 5(1) and 13(2)? For example, with regard to an amendment to the environment description, did you consider whether it would be appropriate for the Welsh Ministers to consult Natural Resources Wales?
4. Section 4(5) obliges the Welsh Ministers to make regulations setting food targets within two years of section 4 coming into force, but section 4(4) states that the targets will only be set when such regulations come into force. This could lead to a situation where the regulations are made within two years but are drafted so that they do not come into force until sometime later. Is this the intention and how will this impact on public bodies who are required to prepare local food plans, taking into account the food targets, within the same two year period?
5. Can you explain why the Bill does not provide for any guidance to be issued by the Welsh Food Commission in relation to achieving the goals and fulfilling the duties under the Bill?
6. Can you explain why there is no requirement in the Bill for the national food strategy to be approved by the Senedd, rather than just laid before the Senedd?
7. Section 22 of the Bill defines the term “public bodies” and allows the Welsh Ministers to amend this definition by regulations, as long as they do not remove themselves. Why is it necessary to give the Welsh Government this power and who do you anticipate being added to or removed from the list?
8. Section 22 also states that when making regulations to add bodies to the list of public bodies, the Welsh Government must consult the body to be added. Why is there no requirement to consult a body that is to be removed, or to have its name or description amended?
9. There are numerous requirements in the Bill for the Welsh Ministers and other public bodies to publish reviews, strategies, plans etc. Where will such documents be published? Will the lack of precision in relation to the publication of these documents impair accessibility?

- 10.** Why does the Bill not provide for any consequences for failures to achieve the food goals, the food targets, or to produce the national food strategy or local food plans within the required timeframes?
- 11.** If the general principles of the Bill are not agreed, or the Bill otherwise falls, do you think that some or all of its provisions could be incorporated by amendments to any existing Bills or future legislation?
- 12.** You explained during the session that you were considering tabling amendments to the Bill, should it proceed to Stage 2. Could you set out what would you envisage to be the purpose of these proposed amendments?