

Agenda – Economy, Trade, and Rural Affairs Committee

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| Meeting Venue: | For further information contact: |
| Hybrid – Committee room 1&2 Senedd and video Conference via Zoom | Robert Donovan Committee Clerk |
| Meeting date: 19 January 2023 | 0300 200 6565 |
| Meeting time: 09.30 | SeneddEconomy@senedd.wales |

Private pre-meeting (09.15–09.30)

Public Meeting (09.30–12.10)

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Papers to note

(09.30)

2.1 Letter from the Minister for Rural Affairs and North Wales, and Trefnydd

(Pages 1 – 2)

Attached Documents:

Community Food Strategy

2.2 Letter from the Minister for Economy

(Pages 3 – 5)

Attached Documents:

UK Levelling Up and Shared Prosperity Funds



2.3 Letter from the Chair of the Business Committee to the Minister for Rural Affairs and North Wales, and Trefnydd

(Pages 6 – 9)

Attached Documents:

Legislative Consent Memorandum on the Genetic Technology (Precision Breeding) Bill

Letter from the Chair to the Chair of the Business Committee

2.4 Letter from the Minister for Rural Affairs and North Wales, and Trefnydd to the Chair of the Legislation, Justice and Constitution Committee

(Pages 10 – 11)

Attached Documents:

The Organic Production (Amendment) Regulations (No. 2) 2022

2.5 Letter from the Minister for Economy

(Pages 12 – 13)

Attached Documents:

Written response to questions from the Committee's General Scrutiny session on 7 December 2022

3 Food (Wales) Bill – Evidence session 1

(09.30–11.00)

(Pages 14 – 38)

Peter Fox MS, Member in charge

Tyler Walsh, Member of the Senedd Support Staff

Gareth Rogers, Bill Manager

Sam Davies, Legal Services

Aled Evans, Legal Services

Elfyn Henderson, Senedd Research

Attached Documents:

Research brief

Break (11.00–11.10)

4 Food (Wales) Bill – Evidence session 2

(11.10–12.10)

(Page 39)

Katie Palmer, Programme Manager, Food Sense Wales / Secretariat, Food Policy Alliance Cymru

Simon Wright, Director of Food and Rural Economy, University of Wales

Trinity St David / Owner, Wright's Independent Foods Ltd

Professor Terry Marsden, Professor Emeritus in Environmental Policy and Planning, School of Geography and Planning, Cardiff University

Attached Documents:

Evidence paper – Food Sense Wales

5 Motion under Standing Order 17.42(ix) to resolve to exclude the public for the remainder of the meeting

(12.10)

6 Private

(12.10–12.20)

Consideration of evidence following the meeting

Ein cyf/Our ref LG/00758/22

Paul Davies MS
ETRA Committee Chair
SeneddEconomy@senedd.wales

5th January 2023

Dear Paul,

Thank you for your letter of 16th December regarding updated details on the Community Food Strategy.

The Welsh Government committed to 'develop a community food strategy to encourage the production and supply of locally sourced food in Wales', as per the Programme for Government and subsequently the Co-operation Agreement with Plaid Cymru, because we recognise the value of community level activity. We have long standing policies for important aspects of the 'food system' but targeted at mainstream agri-food businesses only. We judged there was a policy gap which warranted a Community Food Strategy.

The initial focus of work has been to explore the scope of 'community food' in Wales in order to identify and consider what might be relevant to developing a strategy. Ultimately the Welsh Government wants a strategy which makes grass roots food initiatives more impactful in communities and can help them play a part in the overall food system.

Initial work has included one to one discussions with diverse stakeholders, conducting two surveys, background research and compiling case studies. It has created a comprehensive picture of the abundance of diverse community food activities being done at grass-roots level and the public's general attitude to community food. From these pieces of work, it is apparent there is a lively and very diverse range of community level activities taking place across Wales, some wholly food focussed, others where food is more incidental to another purpose. Furthermore, many of the activities are contributing in some way to advancing the well-being goals of the Well-being of Future Generations (Wales) Act 2015.

The provisional conclusion the Welsh Government has reached is the overarching aim of the strategy should be to encourage and empower this diverse grass roots activity and not to impose a particular model. Success lies in activities in communities involving the community and being for the community. Given there is a lot of excellent existing work, and palpable energy and enthusiasm, the Welsh Government's focus is likely to be on what are the barriers and strategic opportunities where action by the Welsh Government or other

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stakeholders could facilitate the success and expansion of community food initiatives and the creation of new ones. The Welsh Government thinks this can be achieved through existing planning and executive structures, mechanisms, and partners, with no need to create new structures or bodies which would be at a cost to the public purse.

Subject to further policy development work the focus of the Community Food Strategy might be:

- strengthening local leadership capacity and organisation at the grass roots level and through the work of Public Service Boards
- providing national support for common needs such as access to information and advice
- improving the availability of affordable land and linkages with agriculture through piloting the Community Supported Agriculture model
- strengthening and diversifying producer and processor networks and supply chains by extending current work in the food industry into communities, and using the opportunity of public procurement (especially the free primary school meals policy) to create new markets and to raise public awareness of locally produced food.

Our intention in 2023 is to engage more widely with stakeholders in order to co-design solutions. We plan to commission the running of focus groups in order to gather intelligence on the results of our findings, identify any areas of omission and to pin down levers of maximum impact to the public and lowest cost to the public purse, as potential elements of the CFS.

We welcome the involvement of the committee in the development of our ongoing work and would happily consider any report they might wish to bring forward on the topic.



Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd

Paul Davies MS
Chair
Economy, Trade and Rural Affairs Committee
Welsh Parliament
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Llywodraeth Cymru
Welsh Government

SeneddEconomy@senedd.wales

6 January 2023

Dear Paul,

I am writing in regard to the UK Levelling Up and Shared Prosperity Funds further to the statement which I issued to Members on 6 December.

I am concerned that the long delays being created by the UK Government are putting immense pressures on local government and other Welsh partners.

It was only on 5 December that the UK Government announced the approval of the four Shared Prosperity Fund (SPF) regional investment plans for Wales, leading to the release of funding allocations for 2022-23 with less than four months left in this financial year. Meanwhile, local authorities are still awaiting decisions on bids for round two of the Levelling Up Fund (LUF) despite them submitting these bids by the 2 August deadline last year.

The absence of a formal multi-annual grant funding offer for the SPF from the UK Government is raising a high degree of preventable uncertainty for local authorities and other Welsh partners and is putting jobs and projects at risk.

UK Ministers had previously stated that spend for the LUF would only be permitted in exceptional circumstances in 2025-26, but UK Government delays for this programme now mean that this decision could cost Wales significantly. While for the SPF, local authorities are not allowed to spend their allocations beyond March 2025, which means there is less than two years available for the delivery of a SPF project and any underspends will need to be repaid.

Since the SPF was first announced in 2017, the design and delivery process has been opaque and distant and has been exacerbated by a series of delays. The Department for Levelling Up, Housing and Communities (DLUHC) has missed its own deadlines which are creating added pressures, including soaring inflation costs, on delivery. In addition, universities, colleges, business and the third sector have been shut out of directly accessing

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SPF and LUF funds leaving many of these sectors now reporting redundancies and the closure of vital schemes.

The process has not been supported by a consistent approach to dialogue with our partners in Wales or a transparent governance model. Independent voices including the Institute for Government and the Business, Energy and Industrial Strategy Select Committee warned that the new funding arrangements lacked coherence, purpose and focus and that the lack of engagement with devolved government risked duplication and poor value for money outcomes.

The delayed SPF and LUF timescales will not allow the necessary time to plan and deliver projects that represent the best possible outcomes for communities in Wales. The need to use funds late in the year will make many strong proposals based on collaboration unviable as partners are forced to prioritise projects which are able to spend quickly rather than strategically.

The UK Government has not been active in regional economic policy in Wales at this scale for more than two decades and we remain concerned that DLUHC does not have the expertise, networks, infrastructure or experience to deliver these funds effectively in areas devolved to Wales.

In contrast, the Welsh Government was ready to start a post-EU investment programme almost two years ago in January 2021. By that time we had worked intensively with the OECD and our Welsh partners and undertaken a public consultation to create the strongest possible model for Wales – which included a role for the UK Government – as set out in our *Framework for Regional Investment in Wales*.

The UK Government has actively placed at risk critical pan-Wales programmes which are vital to supporting productivity and growth, such as Business Wales, apprenticeships, the Development Bank of Wales and our innovation programmes.

We do not accept the UK Government's claim that its funds deliver less bureaucracy or a greater say for local government in Wales. Without a consistent dialogue, local government has not been in a position to influence decisions in Wales beyond their bid submissions, leaving UK Ministers with greater power over local decisions without the input required from local communities.

The competitive-based LUF to level up regions across the UK raises questions on whether this fund is actually based on need. In addition, the lack of engagement with local authorities does not even allow local authorities to express their bid preferences according to need, with decisions resting with UK Ministers on which of the bids submitted are selected.

We remain concerned that these two funds as a whole shift support away from those areas where need is greatest, meaning that a smaller overall sum will have a lesser impact at a time of extraordinary need. I have set out in previous statements that the Welsh Government urged DLUHC to make the Welsh Index Multiple Deprivation the decisive factor in determining SPF allocations.

Multiply is another area of concern that could see tens of millions of pounds spent badly or unable to be spent. Already the UK Government is withholding £15 million of Wales' SPF allocation for 2022-23 due to local government spending concerns which stem from the UK Government's persistent delays and the lack of flexibility within the scheme.

The UK Government is bypassing the Welsh Government and Senedd on these funds and this risks poor value for money and outcomes and blurred accountability. In particular, it is not clear how the audit processes will work or how Members of the Senedd will be able to hold decision makers accountable on matters which are plainly devolved. These issues are already demonstrated by the UK Government's reluctance to grasp the urgency of the problems which I and my Ministerial colleagues have raised with a succession of UK Ministers and its failure to respond meaningfully to the Finance Committee's recent specific recommendations on post-EU funding arrangements.

I raised these points at a meeting of the Levelling Up, Housing and Communities Committee on 12 December as part of its current inquiry into Levelling Up. I also hope the Economy, Trade and Rural Affairs Committee will consider these funding problems which are having a detrimental impact on growth and jobs at a time when they are most needed in Wales.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive, flowing style.

Vaughan Gething AS/MS
Gweinidog yr Economi
Minister for Economy

Agenda Item 2.3

Y Pwyllgor Busnes

Business Committee

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Lesley Griffiths MS

Minister for Rural Affairs and North Wales, and Trefnydd

11 January 2023

Legislative Consent Memorandum on the Genetic Technology (Precision Breeding) Bill

Dear Lesley,

Following the Business Committee meeting on 13 December, we agreed to write to you to express concern over the late laying of the Legislative Consent Memorandum on the Genetic Technology (Precision Breeding) Bill.

As you'll be aware, despite the Bill being laid in the House of Commons in May 2022, the LCM was only laid by the Welsh Government on 8 December. As the Government intends to schedule the Plenary debate on this LCM on 17 January 2023, this has resulted in the Business Committee being asked to agree a reporting deadline of 16 January. Given the Christmas Recess, the result is an extremely limited period of time of approximately two sitting weeks being available to the relevant committees for scrutiny of the relevant provisions in the Bill.

Whilst this may be an extreme example of a delay in the laying of an LCM in the Senedd, we note that it is not an isolated one and that there have been multiple recent examples of LCMs being laid later than the Senedd's Standing Orders require, on occasions significantly so.

We also note the lack of engagement from the UK Government on this specific LCM and appreciate the difficulty that this can cause to the Welsh Government. However, it is incumbent on us to raise the impact that the limited time often available for

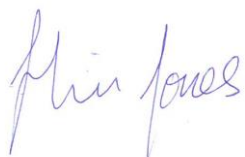


committees to scrutinise Legislative Consent Memoranda has, including on their ability to gather evidence and views from stakeholders, where appropriate, and their wider work programmes. You will be aware that this issue has been raised on a number of occasions by Members in the Siambr and by a number of committees.

We would urge that you, in your role as Trefnydd, and the Welsh Government as a whole could give a commitment to ensuring that LCMs are laid in a timely fashion and that the time available to Senedd committees to scrutinise them is sufficient to enable them to undertake the work required in a sufficient level of detail.

I am enclosing a copy of this letter to the committees impacted by this LCM, namely the Economy, Trade, and Rural Affairs Committee and the Legislation, Justice and Constitution Committee.

Kind regards,



The Rt Hon. Elin Jones MS

Y Llywydd and Chair of the Business Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

**Pwyllgor yr Economi,
Masnach a Materion Gwledig**

**Economy, Trade and
Rural Affairs Committee**

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Rt. Hon. Elin Jones MS
Llywydd and Chair of the Business Committee

12 January 2023

Dear Llywydd,

On 13 December 2022 the Business Committee agreed to refer the Legislative Consent Memorandum relating to the Genetic Technology (Precision Breeding) Bill to the Economy, Trade and Rural Affairs Committee and the Legislation, Justice and Constitution Committee for scrutiny. The referral was made with a reporting deadline of 16 January 2023.

I write to express our Committee's significant concerns about the timescales relating to this LCM. It is unclear to us why the Memorandum, which relates to a Bill introduced to the UK Parliament in May 2022, was only laid before the Senedd on 8 December 2022, and with a reporting deadline of 16 January 2023. This timetable has rendered any meaningful scrutiny of the legislative and policy implications of the Bill for Wales impossible. As such the Committee is unable to report on this LCM.

Thank you for sending me a copy of your letter to the Minister for Rural Affairs and North Wales, and Trefnydd regarding this LCM. The Committee will be keen to see the Minister's response and would like to request a copy once it is received.

Kind regards,



**Senedd Cymru
Welsh Parliament**

Pack Page 8

Paul Davies MS

Chair: Economy, Trade and Rural Affairs Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg | We welcome correspondence in Welsh or English.





Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: LG/3813/22

Huw Irranca Davies MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru
Huw.irranca-davies@senedd.wales

11 December 2022

Dear Huw,

Thank you for your letter of 7 December, regarding The Organic Production (Amendment) Regulations (No. 2) 2022.

As you note, I chose to consent to Great Britain-wide regulations to extend derogations for the use of non-organic gellan gum, pullets and protein feed in organic production. To clarify, our starting position is legislative powers in devolved areas should be exercised by the Welsh Ministers in relation to Wales, rather than the UK Government.

Whilst this SI could have been taken forward in Welsh legislation, in the last few months work on other areas has been prioritised. The coming into force date for these regulations would have been further in the future if they had been drafted in Wales, due to the need to remove any inconsistencies in drafting between the nations and to translate the draft in Wales. It was my view resources could be used on other pressing legislative issues where policy divergence occurred, meaning this SI may not have been ready before the expiration of the previous derogations. This would have meant different regulations being in place in Wales and England, which would have caused cross-border enforcement issues, as DEFRA acts as the Competent Authority for organics on behalf of the Welsh Ministers.

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The operation of the Provisional Common Framework on Organic Production was a factor which influenced my decision to provide consent, as DEFRA followed the processes agreed within it to properly inform the Welsh Government of their plans and discuss the appropriateness of a Great Britain-wide SI.

The draft SI was reviewed by my policy and legal officials before recommendation to consent was given, to assess what level of impact it would have. They requested minor amendments to the Explanatory Memorandum drafted by DEFRA to reflect the position of the Welsh Government in providing consent to this SI. This contributed to the increased length of time which it took to notify you of my consent as I wished to be certain the changes requested had been made. As this SI made changes which were only minor and technical in nature, and there was no significant devolved policy interests at risk, I was content to give my consent for it to be made on a Great Britain-wide basis, in line with the agreed position set out by the Cabinet for the use of UK Parliament SIs making provision in a devolved area.

Yours Sincerely,

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd



Ein cyf/Our ref VG00011/23

Paul Davies MS
Chair, Economy, Trade and Rural Affairs Committee

12 January 2023

Dear Paul

During the Economy Trade and Rural Affairs Committee's General Scrutiny meeting on 7 December, I agreed to provide a written response to your questions on research and innovation which unfortunately we were not able to cover at the meeting.

The development of a cross-Welsh Government innovation strategy for growth and skills in our established research and innovation base has the aim of focusing innovation on delivering impact against our greatest challenges, a healthier population, climate change and economic recovery and resilience. I hope the answers to your questions provide the detail you require.

The Committee notes that the Government has published an analysis of responses to its consultation on its [Innovation Strategy for Wales](#) – is there any further update on how the final version of the strategy is being developed?

The strategy is currently being redrafted to address feedback from stakeholders following the public consultation process and a select roundtable session with key innovation opinion leaders, with input from both the Minister for Economy and the Plaid Cymru Designated Member.

This will result in a new streamlined structure for the strategy containing four main mission themes Economy; Education; Health and Wellbeing and Climate and Nature with emphasis throughout on equality, a culture of innovation and collaboration. Officials from across policy areas are currently re-drafting the strategy, we aim to publish in the New Year.

How does the Minister respond to stakeholders who say the draft innovation strategy is too broad, and lacks a focus and measurable outcomes?

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We should not be restrictive when Innovation has the potential to impact so many things in so many areas. That is why the Innovation Strategy is taking an integrated approach to set a vision of how innovation can support the delivery of our Programme for Government commitments across all portfolios. Welsh Government Departments and portfolios are aware of the task ahead and are committed to continue working together to enhance activity to support our aims.

Following publication of the strategy, an Action Plan will follow setting out how the Welsh Government will implement the strategy. We recognise that we are only a small part of the innovation ecosystem in Wales; it is important that all actors play their part in delivering against the vision.

Do you intend to publish the evidence base that you have used to inform the development of this innovation strategy?

We are committed to full transparency and have already published the early research and stakeholder engagement outcomes and the analysis of consultation responses. Further supporting evidence will be published with the strategy.

What specific funding commitments will the Welsh Government be making to fulfil the aims of the innovation and research strategy?

Following the publication of the innovation strategy, we will be publishing an Action Plan which will set out in more detail our funding plans, support and commitments.

When will you respond to your consultation on a draft Innovation Strategy, and can you give an update on your progress on publishing the final strategy in full?

Officials are currently re-drafting the strategy in response to the feedback and evidence generated from the consultation, we aim to publish the final strategy early in the New Year.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive, flowing style.

Vaughan Gething AS/MS
Gweinidog yr Economi
Minister for Economy

Agenda Item 3

Document is Restricted

Economy, Trade and Rural Affairs Committee: Food (Wales) Bill

Katie Palmer, Food Sense Wales 21.12.22

1. The Bill brings forward a meaningful framework and accountability measures to enable a proactive approach, determining how we want our food system to work, rather than just dealing with the consequences. We view the Bill as essential **to bring about coherent and comprehensive policy** that will achieve the goal of delivering a food system fit for future generations.
2. As an organisation operating across the Food System - cutting across the third sector and public sector - Food Sense Wales is acutely aware that the absence of a holistic vision and targets for the food system in Wales is hampering the progress that Wales could be making in becoming one of the most sustainable and resilient food nations in the world. The food system could be delivering on population health, food security, net zero and biodiversity targets and fair work. In reality a lack of policy coherence actively prevents this from happening – and could even be making the situation worse. Bringing experts across the Food System together under the banner of a Food Commission, to develop and oversee strategy, would ensure all parts of the system are aiming for the same goal.
3. In particular I would like **to emphasize the opportunities through linking national vision and policy with local strategy and delivery**. At a local level Food Goals could be built into Wellbeing Objectives and delivered through local food plans overseen at a local level by cross sector **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 7 Sustainable Food Partnerships¹ and in particular Blaenau Gwent Food, Bwyd Sir Gar, Food Cardiff, Monmouthshire Food and Food Vale. Food Cardiff's Good Food Strategy for the city which sets out five food goals - a healthy Cardiff; an environmentally sustainable Cardiff; a thriving local economy; a fair and connected food system; and an empowering food movement. This strategy was co-produced by almost 2,500 individuals and organisations in Cardiff and the results from the Cardiff citizen survey. Cardiff Council and Cardiff & Vale UHB. Cardiff Council became one of the first UK local authorities to publish its own Food Strategy in 2019. Recognising the need to work across portfolios, Cardiff Council have appointed a dedicated Food Officer and host a cross-departmental Steering Group. The Move More, Eat Well Plan led by Cardiff & Vale University Health Board and approved by both PSBs includes a health communities' priority area, committing to the continued development of sustainable food partnerships. **Cardiff's draft Wellbeing Plan** includes "promote healthy, local, and low-carbon food and support Cardiff's bid to become the first Gold Sustainable Food Place in Wales"².

Providing adequate resourcing for training within public bodies and coordination of food partnerships would be key for successful implementation - work which could be progressed through the Community Food Strategy.

The committee may like to note that Welsh Government are in the process of investing £2.5m into the development of cross sector food partnerships through the Prosperous Futures Team.

4. As part of Food Policy Alliance Cymru we responded to the Food Bill Consultation where detailed responses to all aspects of the Bill were addressed

English - [Draft-Food-Wales-Bill-consultation-response_Eng.pdf \(foodsensewales.org.uk\)](#)

Welsh - [Ymateb BilBwydCymru_Cymraeg.pdf \(foodsensewales.org.uk\)](#)

We are pleased to see that the Bill has been strengthened on the environmental and education aspects.

¹ [Sustainable Food Places - foodsensewales.org.uk](#)

² [Cardiff-PSBs-Draft-Local-Well-being-Plan-2023-2028-English.pdf \(cardiffpartnership.co.uk\)](#) pg 48