

# **Financial Implications of the Food (Wales) Bill**

May 2023

## 1. Introduction

- 1.** On 22 September 2021, Peter Fox MS was successful in the ballot<sup>1</sup> held under the Senedd's Standing Order 26.87<sup>2</sup> for the right to seek leave to introduce a Member Bill. He was given leave to proceed with the Bill on 17 November 2021<sup>3</sup>.
- 2.** The Food (Wales) Bill<sup>4</sup> (the Bill) and Explanatory Memorandum<sup>5</sup> (EM), including the Regulatory Impact Assessment (RIA), was introduced by Peter Fox MS, Member in Charge of the Bill, on 12 December 2022.
- 3.** On 14 December 2022, the Member in Charge made an introductory statement on the Bill in Plenary<sup>6</sup>.
- 4.** The Finance Committee (the Committee) took evidence on the financial implications of the Bill on 9 February 2023<sup>7</sup>, from:
  - Lesley Griffiths MS, Minister for Rural Affairs and North Wales, and Trefnydd
  - David Lloyd-Thomas, Head of Food Policy & Strategy Unit, Welsh Government
- 5.** Followed by a session with the Member in Charge:
  - Peter Fox MS, Member in Charge
  - Tyler Walsh, Member of the Senedd Support Staff
  - Martin Jennings, Senedd Research
  - Elfyn Henderson, Senedd Research
- 6.** Policy scrutiny of the Bill was undertaken by the Economy, Trade, and Rural Affairs Committee (ETRA).<sup>8</sup>

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<sup>1</sup> [Plenary, 22 September 2021](#)

<sup>2</sup> [Welsh Parliament, Standing Orders](#)

<sup>3</sup> [Plenary, 17 November 2021](#)

<sup>4</sup> [Food \(Wales\) Bill](#)

<sup>5</sup> [Explanatory Memorandum](#)

<sup>6</sup> [Plenary Record of Proceedings \(RoP\), 26 September 2022](#)

<sup>7</sup> [Finance Committee, RoP, 9 February 2023](#)

<sup>8</sup> [Economy, Trade, and Rural Affairs Committee](#)

**7.** The Legislation, Justice and Constitution Committee (LJC) considered the Bill in accordance with matters which fall within its remit.<sup>9</sup>

## 2. Purpose and need for the Bill

**8.** During the introductory statement in Plenary, the Member in Charge noted it was important to:

*“...strengthen the Welsh food system as a whole, to establish a more sustainable food system in Wales, to strengthen food security, improve Wales's socioeconomic well-being, and to enhance consumer choice.”<sup>10</sup>*

**9.** To achieve this, the Member in Charge explained the Bill “provides a framework that enables a coherent, consistent and strategic cross-governmental approach to policy and practice on all aspects of the food system”.<sup>11</sup>

**10.** In the Minister’s evidence paper to the Committee, she states the Welsh Government opposes the Bill on the grounds that it:

*“...is unnecessary, would create bureaucracy and additional cost for numerous public bodies and, most significantly, it would undermine the legislative and governance framework established already in Wales for strategic planning, policy making and long-term action put in place by the Well Being of Future Generations (Wales) Act 2015 (WFG Act)”<sup>12</sup>*

**11.** The Minister believes the Bill falls “well short of delivering a sustainable food system, so the costs really bear no relation to whatever might be needed to create a completely sustainable food system”.<sup>13</sup> She continued:

*“I think the costs that are presented in the RIA are estimates for the new planning and reporting functions that various bodies would have to undertake, and that includes the new commission, but they do not include the cost of executing*

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<sup>9</sup> [Legislation, Justice and Constitution Committee](#)

<sup>10</sup> Plenary, RoP, 14 December 2022, paragraph 184

<sup>11</sup> Plenary, RoP, 14 December 2022, paragraph 185

<sup>12</sup> [Welsh Government’s Written Evidence Paper](#)

<sup>13</sup> Finance Committee, RoP, paragraph 8, 9 February 2023

*whatever actions might be identified in the plans coming forward.”<sup>14</sup>*

### 3. Cost summary

**12.** The costs included in the RIA are assessed over five years from the implementation of the Bill. The RIA shows the total cost of the Bill over the appraisal period is between approximately £4.8 million and £8.7 million.<sup>15</sup>

**13.** The Minister said that the work involved in creating “a national food strategy, the targets, establishing a commission—it would be absolutely significantly more than is estimated.”<sup>16</sup> She added:

*“I think my paper that I've given to the committee really makes that point, and provides the example of the resource that's needed to create our current strategic vision for the food and drink industry. That costs about £195,000 a year, so I think you can see that the cost in the RIA really is underestimated.”<sup>17</sup>*

**14.** The Minister felt that public bodies would find it more “resource-consuming” and questioned the level of engagement the Member in Charge had undertaken with local authorities, health boards and the Future Generations Commissioner on costs.<sup>18</sup>

**15.** The Committee asked the Minister whether she had undertaken a cost-benefit analysis of the intended Wales Community Food Strategy in the Programme for Government. She said:

*“So, no, we haven't done a cost analysis, or cost-benefit analysis, as yet. The work that we've done so far on the community food strategy—and, unfortunately, that work has had to be stopped because David Lloyd-Thomas is working on this at the moment and is also working on the community food strategy.”<sup>19</sup>*

**16.** The Member in Charge felt there could have been “a lot more engagement to help and work with us” but the Minister was “minded not to support it [the

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<sup>14</sup> Finance Committee, RoP, paragraph 8, 9 February 2023

<sup>15</sup> Explanatory Memorandum, page 74

<sup>16</sup> Finance Committee, RoP, paragraph 10, 9 February 2023

<sup>17</sup> Finance Committee, RoP, paragraph 10, 9 February 2023

<sup>18</sup> Finance Committee, RoP, paragraph 10, 9 February 2023

<sup>19</sup> Finance Committee, RoP, paragraph 17, 9 February 2023

Bill], whatever.”<sup>20</sup> He said that engagement with the Minister had primarily been based on policy issues and there was no specific engagement regarding costings. He noted that the resources and his access to information “is very different” compared to what would be available to the Welsh Government.<sup>21</sup>

**17.** However, he said that he had undertaken engagement with a “variety of public bodies, including local government” on the costs.<sup>22</sup> His official added:

*“...I suppose it was Welsh Local Government Association representatives; people like Food Sense Wales; Public Health Wales; Caerphilly county borough services, who are quite leading in this field; and the future generations commissioner's office as well; and NHS Wales Shared Service Partnership; the National Infrastructure Commission for Wales, when we were looking at different models; and then experts in the field as well. And I think what we've done is we've done more than just send out consultations; we've set up meetings to specifically talk through costs, ask for costs in cases, or advice and followed up on that advice.”<sup>23</sup>*

**18.** In addition, the Member in Charge said:

*“Discussions were also had between members of the Bill team and officials of the Scottish Government working on the Good Food Nation (Scotland) Act 2022, and we're thankful for the interaction that we've had with them to help us through that financial side of things.”<sup>24</sup>*

## Committee view

**19.** This is a framework Bill that will allow the Welsh Government to establish a Welsh Food Commission and develop a national food strategy and local food plans. As the costs of these will not be known until the Bill is implemented with details brought forward at a later date there are many areas within the RIA that the Committee is unable to take a view on due to the lack of financial information provided.

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<sup>20</sup> Finance Committee, RoP, paragraph 73, 9 February 2023

<sup>21</sup> Finance Committee, RoP, paragraph 112, 9 February 2023

<sup>22</sup> Finance Committee, RoP, paragraph 75, 9 February 2023

<sup>23</sup> Finance Committee, RoP, paragraph 76, 9 February 2023

<sup>24</sup> Finance Committee, RoP, paragraph 75, 9 February 2023

**20.** The Committee was critical of a similar approach taken by the Welsh Government on the Agriculture (Wales) Bill, where costs arising from the introduction of a Sustainable Land Management scheme could not be provided as it would be finalised following scrutiny of the Bill. In our report on the Financial Implications of the Agriculture (Wales) Bill<sup>25</sup>, we concluded that the lack of information contained in the RIA had consequently made it difficult for the Committee to assess the total costs of the Bill.

**21.** We reiterate that view in relation to this Bill. The Committee expects RIAs to contain the best estimate possible for costs and benefits to enable it to fully scrutinise the overall financial implications of a Bill. We note the Member in Charge's view that it will be for the Welsh Government to agree the scale and scope of many elements of the Bill and, due to lack of engagement by the Minister, he has been unable to provide cost estimates. We therefore have sympathy with the Member in Charge as we believe the Minister could have done more to engage with the Bill and provide meaningful costs prior to the Bill's introduction.

**Conclusion 1.** The Committee is disappointed with the lack of information on a number of elements of the Bill and therefore is unable to draw a conclusion as to whether the resources are adequate and reasonable to deliver the legislation. We have made a number of recommendations and should this Bill proceed we would expect to see the information requested included in an updated Regulatory Impact Assessment following Stage 2 proceedings.

**Conclusion 2.** We reiterate previous calls that Regulatory Impact Assessments must contain the best estimate possible for costs and benefits to enable us to fully scrutinise the overall financial implications of a Bill. This includes all Bills introduced in the Senedd by the Welsh Government, individual Members and Committees.

**22.** As mentioned, the Committee is disappointed with the lack of engagement between the Welsh Government and the Member in Charge, specifically in relation to the financial implications of the Bill. This is highly regrettable given that the Welsh Government would have a central role in its implementation. Whilst the Member in Charge of a Bill is responsible for producing and costing the RIA, the Committee expects there to be co-operation from the Welsh Government given that, in most instances, it has privileged and exclusive access to such information.

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<sup>25</sup> [Finance Committee Report: Financial Implications of the Agriculture \(Wales\) Bill](#)

**23.** The previous Finance Committee considered the financial implications of a Member-proposed Bill on autism. The Committee's report was critical of the lack of support and engagement from the Welsh Government and recommended that in future, should the Senedd vote in favour of the right for a Member to seek leave to introduce a Bill:

*"...the Welsh Government commits to providing information to ensure that costs in an explanatory memorandum are as comprehensive and detailed as possible, utilising cost information which the Welsh Government has available."*<sup>26</sup>

**24.** In reflecting on its own experience of introducing a Committee-proposed Bill on the Public Services Ombudsman (Wales) Bill, the previous Finance Committee recommended "that early engagement with the Welsh Government is sought during the development of a draft Committee Bill and accompanying explanatory memorandum"<sup>27</sup>

**25.** The opportunity for individual Members or Committees to introduce a Bill is very limited. We therefore believe that an expectation should be placed on the Welsh Government to engage and provide relevant information to inform a legislative proposals as a matter of principle. We do not consider this to be arduous given that only a small number of Bills (if any) might be introduced during a five year Senedd term.

**Recommendation 1.** The Committee recommends that in future, the Welsh Government commits to assisting individual Members and/or Committees proposing legislation by providing relevant financial information prior to a Bill's introduction to ensure that costs in Regulatory Impact Assessments are as comprehensive and detailed as possible.

## 4. Food Commission

**26.** The most significant costs included in the RIA relate to the establishment and operation of a Food Commission, which is estimated to cost between £0.75 million and £1.5 million per annum and would be incurred by the Welsh Government.<sup>28</sup>

<sup>26</sup> Fifth Senedd Finance Committee: Financial implications of the Autism (Wales) Bill.

<sup>27</sup> Fifth Senedd Finance Committee: Fifth Senedd Legacy Report, recommendation 15, page 48.

<sup>28</sup> Explanatory Memorandum, page 83

**27.** The Member in Charge said “the Bill gives the Welsh Government adequate scope to set up arrangements flexibly within the framework of the Bill”. He said it is “in the hands of the Government to shape the nature and the costings” in relation to the operation of the Food Commission, such as “how much it pays its staff, how much staff it would need”. Therefore, he could not “predict” these costs as they will “have to happen afterwards”.<sup>29</sup>

**28.** The Minister was asked for her view on the statement in the RIA which notes it is not possible to estimate the current staffing resource that goes into administration of Welsh Government food policy given this is approached in silos across several initiatives.<sup>30</sup> She said:

*“I don't think it's possible to estimate the resource completely, but I don't think it's because work is in silos... I can tell you about my food division, and that's absolutely at the core of food and drink policy in Welsh Government. That is the food division, which sits in my portfolio. My food division is a very small team—there are only 44 posts. And that might sound a lot, but when you look at what we deliver in relation to food matters—. They manage a budget of just over £7 million, and those 44 posts cost £2.5 million.”<sup>31</sup>*

**29.** In response to this, the Member in Charge said:

*“...somebody challenged her as to what the cost of the existing set of legislative frameworks, linked to food is, and the Minister said that they can't make that assessment. Well, it's very difficult—if the Government can't make an assessment of its own costs on what it's delivering already, it's very difficult for us to be prescriptive on every element of what this might cost.”<sup>32</sup>*

**30.** The Committee questioned the range provided for the cost of the Food Commission. In response the Member in Charge explained:

*“We took a top-down approach to assessing the overall cost of the food commission rather than trying to build up an overall cost, based on detailed actions that the commission will undertake. It also reflects the Scottish Government—the work*

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<sup>29</sup> Finance Committee, RoP, paragraph 116, 9 February 2023

<sup>30</sup> Explanatory Memorandum, page 78

<sup>31</sup> Finance Committee, RoP, paragraph 34 & 35, 9 February 2023

<sup>32</sup> Finance Committee, RoP, paragraph 83, 9 February 2023



*that they'd undertaken to estimate their costs of a food commission, and, as such, the costs have been modelled on different viable options, as you'll be aware: either a commission similar to the Scottish one or similar to other [Welsh] commissioner offices that currently exist, and that's where you get the variance of cost between what Scotland's costs were and what we know the average costs of what commissioners have worked out to be here in Wales.”<sup>33</sup>*

**31.** The Member in Charge’s official added:

*“...I think I'm correct in saying that the explanatory memorandum to the Scottish Bill wasn't laid long before it was passed, so the costings that we've used in the EM are the most up-to-date figures that we had and what we were notified of by Scottish colleagues, so, from our final discussions.”<sup>34</sup>*

**32.** However, the Minister said the latest information she had received from her Scottish counterparts is that “more resources are being used—human resources—to commence The Good Food Nation (Scotland) Act 2022<sup>35</sup> and prepare for the plans going forward.” Therefore she considered the cost in the RIA could be “underestimated”.<sup>36</sup>

**33.** Subsequently, the Minister wrote to the Committee to provide newly acquired evidence regarding the costs of implementing the Act in Scotland and its impact on the estimates provided in the RIA for the Bill. The letter states:

*“Following my officials’ regular communications with their counterparts in Scottish Government some more up-to-date estimates for the costs of implementing the FWB have come to light. The cost estimates for comparable elements of the Good Food Nation (Scotland) Act 2022 have increased significantly compared to those which the Scottish Government originally anticipated when it was a Bill and which informed the FWB Explanatory Memorandum. This means the estimates quoted in the Explanatory Memorandum for the costs to the Welsh*

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<sup>33</sup> Finance Committee, RoP, paragraph 79,9 February 2023

<sup>34</sup> Finance Committee, RoP, paragraph 101, 9 February 2023

<sup>35</sup> [The Good Food Nation \(Scotland\) Act 2022](#)

<sup>36</sup> Finance Committee, RoP, paragraph 10, 9 February 2023

*Government and public bodies in Wales of implementing the FWB, are certainly significant underestimates.”<sup>37</sup>*

**34.** In response to this letter, the Member in Charge responded directly to the Minister on 4 May, stating:

*“While I am not disputing changes to estimated costs in Scotland, the statement you have made about the costs of the Food (Wales) Bill being significant underestimates is not accurate. The costs of implementing specific policy areas of the Food (Wales) Bill cannot simply be measured by comparing the figures across nations, without comparing other factors such as how the different provisions of the Bill / Act work in practice.”<sup>38</sup>*

**35.** The Minister was concerned that there would “be a massive amount of duplication” between the Well-being and Future Generations Act 2015 (WFG Act) and the Food Commission which would create a “huge amount of work for us as a Government” and the same for public bodies.<sup>39</sup>

**36.** She explained that the WFG Act requires the Welsh Government and public bodies, including local authorities and health boards:

*“...to look at the well-being goals, the targets that have been set within any policy or piece of legislation. You have to look at that before you bring that policy and legislation forward. So, to me, this is just another layer.”<sup>40</sup>*

**37.** However, the Member in Charge’s official said that from discussions with the Office of the Future Generations Commissioner:

*“they don't have the expertise, they don't have the capacity, to look at a lot of what we're proposing within their current resources. So, if we were to go ahead with one of the options that has been suggested of enabling the future generations commissioner to do this, then there's a cost impact to that;*

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<sup>37</sup> [Letter from the Minister for Rural Affairs and North Wales, and Trefnydd, 20 April 2023](#)

<sup>38</sup> [Letter from the Member in Charge to the Minister for Rural Affairs and North Wales, and Trefnydd, 4 May 2023](#)

<sup>39</sup> Finance Committee, RoP, paragraph 25, 9 February 2023

<sup>40</sup> Finance Committee, RoP, paragraph 25, 9 February 2023

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*there's a resource impact to that, both financial and in terms of human resource implications as well.<sup>41</sup>*

## Committee view

**38.** The Committee notes that the cost of establishing and operating the Food Commission, estimated at between £0.75 million and £1.5 million per annum, is based on the costs in the Scottish Government's legislation and the average cost of running the office of existing Welsh commissioners. We are grateful to the Minister and the Member in Charge for providing further information in relation to the estimated costs of the Bill. Whilst we have noted the correspondences in our report, the Committee has not had the opportunity to further scrutinise the Member in Charge or the Minister on this information. However, we note the Minister's view that the costs in the RIA of establishing the Food Commission may be underestimated based on the latest calculations provided by the Scottish Government for elements of the Scottish Act. We also note the Member in Charge's view that the costs of implementing specific policy areas of the Bill cannot simply be measured by comparing the figures from Scotland, without comparing other factors such as how different provisions will work in practice. Nevertheless, we believe further work should be undertaken to assess the costs in this area. The Member in Charge also recognised that it will be for the Welsh Government to "shape the nature and costings" of the Food Commission including the number of staff required to support it.

**Recommendation 2.** The Committee recommends that the Member in Charge reassess and updates the costs in the Regulatory Impact Assessment based on the latest costs provided by the Scottish Government for The Good Food Nation (Scotland Act 2022).

**Recommendation 3.** The Committee recommends that the Member in Charge liaises with the Welsh Government in relation to the scale and scope of the Food Commission, including the number of staff required to support it and updates the Regulatory Impact Assessment.

**39.** The Committee notes the Minister's concerns that the Bill would create duplication with the WFG Act and the well-being goals that already exist. However, the evidence presented by the Member in Charge suggests that the Office of the Future Generations Commissioner does not have the expertise or

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<sup>41</sup> Finance Committee, RoP, paragraph 88, 9 February 2023

capacity to undertake the necessary work relating to this Bill within its current resources.

**Conclusion 3.** The Committee is unable to reach a view, on whether the Bill would create duplication with the Well-being and Future Generations (Wales) Act 2016 and if the Future Generations Commissioner for Wales has the expertise or capacity to undertake the necessary work relating to the Bill, given the lack of information available on this issue.

## 5. National Food Strategy

### Cost savings

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**40.** The Bill will place a requirement on the Welsh Ministers to publish a National Food Strategy, after seeking advice from the Food Commission. They may also seek advice from the Future Generations Commissioner for Wales.<sup>42</sup>

**41.** The RIA notes cost savings could not be quantified given “these will be informed by the content of the National Food Strategy”.<sup>43</sup>

**42.** The Member in Charge said it would be for the Welsh Government and possibly the Food Commission “to analyse and quantify the actual cost savings”.<sup>44</sup> He said the food strategy is intended to allow the Welsh Government to bring together its existing plans and strategies “into a coherent direction of travel” and therefore provides an opportunity for the Welsh Government to consider:

*“...what is currently spent on what, and whether any spending could be redirected to achieve better outcomes or to remove areas of contradictory spending.”<sup>45</sup>*

**43.** The Minister evidence paper notes:

*“The Welsh Government contends no savings will arise because it will still be necessary to undertake current and planned policies with all the consequential work which arises within Welsh Government or between Welsh Government teams and stakeholders. A national food strategy will not take the place of detailed policy making and operational plans. We anticipate*

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<sup>42</sup> Explanatory Memorandum, page 88

<sup>43</sup> Explanatory Memorandum, page 76

<sup>44</sup> Finance Committee, RoP, paragraph 116, 9 February 2023

<sup>45</sup> Finance Committee, RoP, paragraph 116, 9 February 2023

*other public bodies will also need to continue what they currently do without any saving of effort or cost.”<sup>46</sup>*

## Benefits

**44.** The RIA notes that the Food Commission “will reset the governance of the food system in Wales, and will co-create and oversee the delivery of a national food strategy alongside Welsh Ministers and other stakeholders”.<sup>47</sup>

**45.** The RIA states it is not possible to quantify benefits until the national strategy, policies and goals are formed.<sup>48</sup>

**46.** However, the RIA notes the Bill may have environmental benefits through environmental actions taken towards reaching primary and secondary goals. Stakeholders highlighted this may, in turn, benefit species and habitats, improve soil health, air and water quality.<sup>49</sup>

**47.** The RIA also states:

*“The Bill will allow Wales to achieve its global responsibility commitments through the reduction of environmentally and socially costly food imports, thus promoting Wales as a good global citizen.”<sup>50</sup>*

**48.** Whilst noting the number of societal, environmental and health benefits to the Bill, the Member in Charge concluded that they “can't always be determined in financial terms, not immediately”. He added:

*“...without the pump-priming and the foresight and the groundwork and the foundations that you need to invest into that major shift, you won't be able to appraise fully the societal value for future generations.”<sup>51</sup>*

**49.** However, the Member in Charge said “we have done our best” to consider the costs and benefits “of some difficult issues” and these have been set out in the Explanatory Memorandum. He provided an example:

<sup>46</sup> [Welsh Government's Written Evidence Paper](#).

<sup>47</sup> Explanatory Memorandum, page 46

<sup>48</sup> Explanatory Memorandum, page 73

<sup>49</sup> Explanatory Memorandum, page 73

<sup>50</sup> Explanatory Memorandum, page 73

<sup>51</sup> Finance Committee, RoP, paragraphs 85 & 86, 9 February 2023

*“...if you're looking more broadly, the cost of obesity to Wales is around £3 billion a year. This Bill is not a silver bullet, we know that, but, if it helps to reduce obesity rates by an amount through its focus on creating a more equitable food system, which is focused on securing better diets that may help to improve people's health, then it could help to ensure cost savings to the public purse.”<sup>52</sup>*

**50.** The Minister said she was “not convinced” the Bill would create any benefits but “it would create costs for many other public bodies”.<sup>53</sup>

## Committee view

**51.** We are disappointed that the RIA does not include an estimate of cost savings arising from the Bill as this is a key element of the options appraisal process and should support decision-making prior to the Bill’s introduction. We heard that, as the national food strategy will be created and delivered jointly by the Welsh Government and the Food Commission, the costs savings will not be known until the national strategy, policies and goals are formed. The Committee expects the national food strategy to be accompanied by a full and robust impact assessment.

**Recommendation 4.** The Committee recommends that the National Food Strategy is accompanied by a full impact assessment and that the Welsh Government ensures the Senedd will have the opportunity to scrutinise any costs associated with it.

**52.** Whilst we note and welcome the Member in Charge’s view that the Bill will have a number of societal, environmental and health benefits, we also note that the Minister was less convinced. However, the Committee is disappointed that a fuller assessment of the benefits of this legislation, including timescales for delivery, was not undertaken prior to the introduction of the Bill.

**Recommendation 5.** The Committee recommends that the Member in Charge undertakes further work analysing the cost benefits of the Bill and that the Regulatory Impact Assessment should be updated to include further information on these benefits, including how they will be analysed and when they are anticipated to be delivered.

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<sup>52</sup> Finance Committee, RoP, paragraph 112, 9 February 2023

<sup>53</sup> Finance Committee, RoP, paragraph 61, 9 February 2023

## 6. Local food plans

**53.** The Bill requires certain public bodies (other than Welsh Ministers) to publish a local food plan setting out the policies that they intend to pursue in order to contribute to the advancement of the primary food goal and the secondary food goals, and the achievement of the food targets.<sup>54</sup>

**54.** The Member in Charge was asked why he was unable to source the relevant information to estimate the cost of implementing local food plans. He said:

*“The costing of the plans would be dependent upon how they were designed, again, and it would be up to Welsh Ministers, as I said earlier, in consultation with the food commission, to shape those. So that’s probably why it’s a little bit unquantifiable, to be honest.”<sup>55</sup>*

**55.** However, the Member in Charge highlighted that some public bodies are already “doing a lot of work” in relation to implementing local food plans<sup>56</sup>. His official added:

*“So, the cost impact overall, if we were to give a blanket figure, would be different according to local authority. As we mentioned earlier, you might expect a council like Caerphilly, which is quite progressive on this, to already be able to quantify its costs, know how much it spends on its work and the streams deriving from that, whereas other councils—and we’ve been told this in our stakeholder engagement—perhaps are not at a similar level, so the extent to which they can estimate the costs that they already have, and what they might envisage that they might need, is quite difficult from their perspective.”<sup>57</sup>*

**56.** The RIA notes costs in relation to the five-year review of local food plans will fall outside the timeframe of costing of this impact assessment.

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<sup>54</sup> Explanatory Memorandum, page 92

<sup>55</sup> Finance Committee, RoP, paragraph 118, 9 February 2023

<sup>56</sup> Finance Committee, RoP, paragraph 127, 9 February 2023

<sup>57</sup> Finance Committee, RoP, paragraph 119, 9 February 2023

**57.** The Member in Charge said that providing an impact assessment over a five-year timescale “has been the standard approach for Member legislation”. He added:

*“We did note that the five-year review of local plans falls outside of the five-year costings provided. And, to be transparent, we provided a cost for this work in the RIA, noting it would fall outside the five-year period.”<sup>58</sup>*

**58.** The Minister’s evidence paper noted that “it would be better to use a ten year appraisal period to cover the cost cycle more fully rather than the five year approach adopted”.<sup>59</sup>

## Committee view

**59.** The Committee notes that the Bill requires public bodies to publish local food plans setting out the policies that they intend to pursue in order to contribute to the advancement of the primary and secondary food goals, and the achievement of the food targets. Again, it is disappointing that the RIA has been unable to provide details of the costs for implementing local food plans given that the plans are unknown at this stage. We are pleased that some public bodies are already undertaking work in relation to implementing local food plans and whilst these costs will vary across local authorities we believe the RIA should have attempted to estimate a range for these costs.

**Recommendation 6.** The Committee recommends that the Member in Charge provides details of the public bodies that are already undertaking work to implement local food plans, and uses this information to calculate a potential range of costs arising from the Bill. This information should be included in a revised Regulatory Impact Assessment.

**60.** The Committee is concerned that the costs in relation to the five-year review of food plans will fall outside the timeframe of costing of this impact assessment. The Committee accepts that the period of assessment may vary between Bills dependent on the provisions within them. However, on this occasion a longer appraisal period would have ensured the review of food plans fell within the costing of the RIA.

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<sup>58</sup> Finance Committee, RoP, paragraph 153, 9 February 2023

<sup>59</sup> [Welsh Government’s Written Evidence Paper](#).



**Recommendation 7.** The Committee recommends that the Member in Charge updates the costing of the Regulatory Impact Assessment over a ten-year appraisal period to allow the inclusion of more complete costs relating to local food plans.