



30/09/2022

Landworkers' Alliance Cymru response to the Draft Food (Wales) Bill consultation:

Introduction

The Landworkers' Alliance (LWA) is a grassroots union of farmers, growers and land-based workers with a mission to improve the livelihoods of our members and create a better food system for everyone. We are a democratic member-led union, run by producers for producers, and are members of La Via Campesina, the global organisation of over 200 million small-scale producers and peasant farmers. LWA Cymru has a growing membership of over 200 members across Wales.

We campaign for a food system based on food sovereignty, meaning “the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems.”¹

We support the overall aims and framework of the Food (Wales) Bill; however, we believe current proposals could be improved, as laid out in response to our questions. In particular, we believe that both national and local planning policy needs to be covered by the Food Bill as this is the area where we see the most direct contradictions in policy aims and practice.

Consultation questions:

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

We broadly agree with the principles behind the bill, but it is important to tease out what is meant by different principles listed:

ESTABLISHING A MORE SUSTAINABLE FOOD SYSTEM IN WALES

¹ Declaration of the Forum for Food Sovereignty, Nyéléni 2007, p.1, <https://nyeleni.org/spip.php?article290> (accessed 22 October 2019).

We would amend the wording of this to make it clear that it refers to ecological sustainability, as socio-economic well-being is already covered. Much has been written about the need to reduce emissions and make agriculture more ecologically sustainable and the proposed Sustainable Farming Scheme seeks to do this. However, the broader food system must also be more sustainable.

When retail, packaging, transport and storage are all accounted for, the global food system is responsible for around 30% of greenhouse gas emissions². Whilst grassland based Welsh farming systems may be more sustainable than the super-intensive farming systems elsewhere, we are still bound up in the destructive international system. Imported animal feed is a major factor in Amazonian deforestation, and with an increasing number of intensive livestock units in Wales, this problem is only set to increase³. With much of Welsh produce exported and both food and feed imported, we need to consider the environmental impact of our food system beyond the direct impacts of Welsh farming in Wales.

Furthermore, whilst many Welsh farmers are pioneering agroecological and nature friendly farming approaches, we cannot be complacent about the state of nature in Wales itself. 1 in 6 wildlife species in Wales is at risk of extinction, with numerous Welsh and UK reports identifying unsustainable farming and land use as a key driver⁴.

STRENGTHEN FOOD SECURITY

It is essential that Wales is able to feed itself, but more food production per se will not necessarily achieve this. We need to look at what Wales does not produce enough of, the security of our supply chains and the resilience of our eco-systems.

Fruit & Vegetables: Within Wales there is clearly a deficit in fruit & vegetable production compared to what consumers currently buy, which itself is well below health recommendations. We currently produce just a ¼ of a portion of vegetables in Wales per head of population. Overall the UK imports around 47% of its vegetables and 83% of its fruit, of which a significant amount comes from countries vulnerable to climate change, meaning that consumers are dependent on volatile international markets to secure affordable fruit & vegetables⁵.

Wales has a smaller proportion of land in horticultural production than other parts of the UK with around 0.1% of agricultural land currently used for fruit & vegetable production. This need not

² Sanderson Bellamy, A. and T Marsden (2020) *A Welsh Food System Fit for Future Generations* Commissioned by WWF Cymru and available: https://www.wwf.org.uk/sites/default/files/2020-03/WWF_Full%20Report_Food_Final_3.pdf

³ WWF Cymru (2021) Wales and Global Responsibility https://www.wwf.org.uk/sites/default/files/2021-11/wwf_risky_b_wales.pdf

⁴The National Biodiversity Network, *State of Nature Report*, 2019 Summary here: <https://research.senedd.wales/research-articles/the-state-of-nature-2019-report-17-of-species-in-wales-are-at-risk-of-extinction/>

⁵ The Food Foundation (2020) Veg Facts 2020 <https://foodfoundation.org.uk/publication/veg-facts-2020-brief>

be the case. Research has found that if just 2% of Welsh agricultural land were used to produce fruit & vegetables, it would be possible to produce all of Wales' population's "5 a day" needs⁶.

Addressing this deficit will require consideration of who will grow the fruit and vegetables, how to incentivise them and remove existing barriers. A combination of financial support for new horticulture enterprises, training, planning reforms, local market development support and measures to increase land access are needed. Whilst the proposed Sustainable Farming Scheme does provide incentives for new horticulture enterprises and local market development, the level of support is not clear and other aspects are not covered.

As perishable goods, fruit and vegetables are particularly vulnerable to supply chain shocks and changes in the labour market. For example, the inability of many large vegetable farms in east England to recruit enough workers is leading to crops going unpicked and rotting in the fields.

Grains: Wales is also far from self-sufficient in grain for human consumption. Currently, the vast majority of Welsh arable production is for animal feed, a relatively inefficient use of land.

This was not always the case and enterprising farms, mills and bakeries are already leading the way producing nutrient dense bread and bring back sustainable local grain economies. For example, Y Felin Ganol near Aberystwyth grinds wheat from a neighbouring farm and sells direct to consumers as well as several small Welsh bakeries. The [Grawn Hynafol Cymru \(Heritage Grain Trial Wales\)](#) recently brought together farmers, millers and bakers from across Pembrokeshire and Ceredigion. Ten plots were used to grow different varieties of heritage and modern wheat which was milled and baked locally. More about this work and some of those involved can be found [here](https://www.sustainweb.org/realbread/articles/feb22-new-welsh-grain-revolution/).

Whilst there is a long way to go, these examples show that it is possible to increase our food security through local production and markets.

Meat: Whilst Wales is more than self-sufficient in meat, the decline in local abattoirs and butchers reduces local control of the supply chain, as well as having negative impacts on animal welfare and increasing food miles. Local abattoirs are a vital part of the local food economy - without them, local meat systems cannot exist, let alone thrive. We recommend a review of factors contributing to this decline and a task force looking at how safe high welfare local and mobile abattoirs can be supported.

IMPROVE WALES' SOCIO-ECONOMIC WELLBEING

Whose well-being is being improved is essential here. 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

⁶ Wheeler, A. (2018) 'A New Food Diplomacy: Participatory Action Research Findings of a Food System Approach to Public Health Nutrition', PhD Thesis, Prifysgol De Cymru/University of South Wales

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.

When considering economic well-being, it is important to recognise that the centralised, supermarket systems are characterised by unequal relationships. The definition of economic wellbeing must include the equitable distribution of price between different parts of the supply chain. This applies both across the food chain, and within food and farming businesses, for example between large business owners and casual labourers .

In the case of the former, the power of supermarkets compared to farmers is significant. This has led to downward pressure on prices and increased pressure on farmers to cut environmental and animal welfare standards in order to make this possible. Farmers' production costs are barely covered by the price they receive⁷ which is an average of 8% of the money spent on a product.⁸ The majority of the Gross Value Added (GVA) is absorbed by the middle of the supply chain. These are factors that should be considered when assessing planning applications for new supermarkets. Whilst it would be very difficult to challenge existing supermarket behaviour at a Wales only level, much could be done with sufficient political will working across the UK. Please see our report [Vocal for Local](https://landworkersalliance.org.uk/wp-content/uploads/2021/07/Vocal-for-Local.pdf)⁹ for more on this.

ENHANCE CONSUMER CHOICE

Based purely on number of different items available, there is already a very large number of different food products available on the market, and it is not clear that many people want or need more choice, per say. What matters is that healthy choices are available and affordable. We would therefore amend this to “enhancing consumer access to healthy, sustainably produced, affordable food”. Healthy and sustainably produced food is often inaccessible for those on low incomes. Making healthy, sustainable and where possible locally produced food a realistic choice for low income customers, whilst still ensuring those producing that food can get decent wages, is essential.

The challenge of addressing both affordability of healthy food and decent livelihoods for food producers, whilst ensuring production is done in an ecologically sustainable manner is an example of why food policy needs to be looked at comprehensively and why a Food Bill is necessary.

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

Yes, we agree that this legislation is needed.

⁷ Fitzpatrick, I., Perry, M., Rose, E. and Young, R. (2017). The Hidden Cost of Food - a report for e Sustainable Food Trust.

⁸ Sustain. (2019). Supermarket Failure.

⁹ The Landworkers' Alliance (2021) Vocal for Local: Why Local Food Systems are the Future

There is currently no overall vision of the food system that we should have in Wales to drive policy: different departments that deal with food often end up with policies that appear to oppose each other.

The draft Bill rightly tries to address this incoherence. The consultation document refers to upcoming legislation that needs to be considered in the development and implementation of the Bill to ensure coherence. These include the Social Values and Procurement Bill; The Agriculture Bill and the Community Food Strategy.

We believe that existing legislation also needs to be considered. These include:

- National and Local Planning Policies
- Environment (Wales) Act
- The Public Health (Wales) Act
- Detail of the interaction with the Wellbeing of Future Generations Act.

Planning

The area where our members directly experience policy incoherence and frustration most directly is in relation to planning. Planning policy for agriculture is often at odds with the stated aims of the Environment and Rural Affairs department both in terms of the development that is allowed and development that is prevented or made difficult.

Ecologically destructive farming permitted: Despite the Environment (Wales) Act 2015 stating that public bodies need to ensure biodiversity is enhanced and the Sustainable Farming Scheme proposing to fund measures to improve biodiversity and water quality; Welsh river ecosystems are at risk of destruction due to the proliferation of new intensive poultry, dairy and pig units. These units receive consent despite clear evidence of the destruction they are causing because neither local or national planning policies give planners sufficient powers to block them or account for cumulative impact. Unless this is amended, all the money spent on incentivising farmers to increase biodiversity under the sustainable farming scheme, will have little overall benefit.

Obstructing small agroecological farms: At the other end of the spectrum, despite recent horticulture start up and development grants; getting planning consent for the infrastructure that those grants aim to support is often extremely expensive and time consuming. Many fruit and vegetable farms in Wales are less than 5 hectares and therefore do not benefit from permitted development rights, despite being commercial farms. Without permitted development rights polytunnels, worker welfare units, storage barns, packing sheds and even small tool sheds require full planning applications which often require costly surveys; and even then, are often only successful at appeal.

We believe that if there were overarching goals and comprehensive food policy, planning policy would be aligned with both environmental and local food production aims.

Housing

Rural housing is another key area where coherence is needed. We cannot transition to more sustainable farming and we certainly cannot significantly increase our horticulture (which is the most labour-intensive agriculture per hectare) without affordable accommodation for those working on farms, both permanently and seasonally. The well documented impact of holiday lets has been felt by many of our members including: those seeking work on others' farms, but struggling to find affordable accommodation nearby (particularly between April and September when most seasonal work is required); those business owners struggling to recruit such workers; and those prospective new entrant entrepreneurs who need both land and affordable accommodation to start their land-based businesses.

There are three areas where changes to planning policies could address this:

- 1. Amending the One Planet Development (OPD) policy to make it more accessible.**
The OPD policy grants consent for ecologically sustainable dwellings and infrastructure in the open countryside provided it is linked to a land-based business and the occupiers meet strict carbon footprint targets for both their businesses and broader life. Since the policy was introduced in 2010 there have been at least 38 successful OPD planning applications and those up and running are excellent examples of ecologically sustainable farms, which are exceeding OPD regulatory targets. However, there are significant bureaucratic and other barriers preventing more people taking advantage of this policy. We refer you to the excellent new report from the One Planet Council¹⁰, which details both the successes of OPDs and the policy amendments needed to make the policy more accessible.
- 2. Make agricultural workers' dwellings easier to obtain:** even with amendments, OPD will not work for everyone, but an alternative route to new on farm accommodation is through consent for agricultural workers' dwellings. However, the burden of proof needed to justify such dwellings is often not possible to meet, particularly for farms without livestock. In particular, the lack of affordability of alternative housing for farmers and farm workers and the difficulty of making a sufficient income from the farm is not a sufficient justification.
- 3. Requiring change of use for holiday lets:** requiring homeowners to apply for change of use consent in order to turn their properties into holiday homes (as is required for Houses of Multiple Occupancy) would enable councils to protect housing for people living and working in the area.

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.

See response to question 4.

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

¹⁰ One Planet Council (2022) *Review of One Planet Development In Wales, 2010-2021*
<http://www.oneplanetcouncil.org.uk/review-of-one-planet-development-in-wales-2010-2021/>

Secondary Food Goals?

Yes, in principle. We agree with the inclusion of food goals and that they should cover the broad areas of economic well-being, health and social, education, environment and food waste.

With respect to waste, a key way to address this is through short supply chains that reduce the time between harvest and sales.

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

We are concerned that the way the goals are worded could lead to the sectoral fragmentation that the Bill seeks to avoid. We support the approach being taken by FPAC and copy their response here for clarity:

‘The secondary food goals outlined in the consultation are sectoral and work against the need to take an integrated approach to the food system. FPAC have suggested alternative Food Goals, targets for which should be set by the Commission.

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.
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.
Net zero food system	A net zero food system for Wales (from plot to plate, and post consumption).
Farming for nature and climate	Increased amount of agro-ecological production. Measure the environmental footprint of food and set a target to reduce the environmental footprint of food production and consumption.
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.
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.

Each of the above goals represents an integrative piece of work and relies on collaboration between Ministers and government departments to achieve a coordinated approach. This coordinated

approach will be overseen and mediated by the Food Commission, whereas each Minister will have a duty to collaborate to work to reach targets.'

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

If the current goals are kept, we would suggest the following amendments:

Change the description of the Environment goal from

"Lessening environmental impacts of food production and consumption"

to

"transitioning to a food system that enhances rather than damages ecology and carbon sequestration"

In the Education goal include "farming" for both school pupils and those wishing to pursue a career in farming.

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.

We support the inclusion of targets. These are essential for showing the direction of travel and can help give businesses the confidence to invest in changes that support the achievement of these targets.

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

No, whilst Ministers must have a key role, we believe that it should be the Commission rather than Ministers that steer the process in order to ensure that the targets integrate work across departments.

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

No comment

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

Food Commission

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

We support proposals for a Welsh Food Commission. The Commission should harness and build integrated policies that transcend political cycles to generate and promote capacities to create a sustainable food system fit for all.

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

We believe section 10 (c) should be changed from:

“(c) to keep the public adequately informed about and advised in relation to matters which significantly affect their capacity to make informed decisions about food matters”

To

“(c) to keep the public adequately informed about and advised in relation to matters which significantly affect their capacity to make informed decisions about food matters; identify broader socio-economic factors that make healthier choices impossible; and seek input from the public in general, and key food system stakeholders in particular, into policy making around food”

10(f) and 10 (g) should be amended to reflect that the commission should be driving the process of setting the goals rather than just acting as consultees and advisors.

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

We are concerned that the proposed process may not create a sufficiently independent Food Commission. As a minimum there should be an additional requirement to ensure cross sector representation on the Food Commission, including small farmer and local food system representatives.

It will need to be independent and well-resourced and able to take advantage of external support. It is important that its remit goes beyond that of the Food Division groups.

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?

No comment

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

No comment

National Food Strategy

16. Do you agree that there is a need for a national food strategy? Yes, this will be important for ensuring overall coherence and direction of policy related to food systems and address the problems identified in response question 2.

17. Do you believe the Welsh Government's current strategies relating to 'food' are sufficiently joined up / coherent? No, we do not.

Departments that consider food, agriculture and land use, development planning, health, business support, education and climate have different priorities, which often contradict each other or fail to address it. For example, despite the food system contributing around 30% of greenhouse gases, food barely gets a mention in the net zero plans.

In addition to the problems identified with the planning system in response to question 2, we would like to confirm our support for the examples given in the FPAC response which include: the difference between 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.

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?

We believe that the process should be co-produced by the Food Commission, who would then make recommendations to ministers. The commission should conduct public consultation to ensure a cross section of those working in the food and farming industries are included. This should include small farms and unions representing food industry workers. They also consult with Future Generations Commissioner. The advice given and the final strategy should be a transparent process.

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?

No comment

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?

No comment

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?

Please see our response to England's National Food Strategy for more on what we believe a food strategy should cover: <https://landworkersalliance.org.uk/wp-content/uploads/2021/08/LWA-Response-to-2021-National-Food-Strategy.pdf>

Local Food Plans

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

Local supply chains are crucial to tackling many of the challenges facing our food system. Not only do they reduce food miles and increase people's connection and appreciation of the origin of food, but they also enable farmers to bypass supermarkets in order to get a better return on their food. Building local supply chains should therefore be at the core of the National Food Strategy, but the detail and delivery of these should be decided locally.

Local Government has control over various aspects related to the food system including in planning policy, setting business rates, food safety requirements, education, and public procurement. Furthermore, local government tends to have a better understanding of the needs of their area and what is already happening on the ground. Therefore, it is important that food policy be considered at a local as well as national level.

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?

We believe that there should be public consultation on their proposed local food plans. Efforts should be made to ensure that farmers, community food growers, food aid and food justice organisations, local food businesses and food worker trade unions are invited to contribute.

"May consult" should be changed to "make all reasonable efforts to consult"

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?

No comment

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?

No comment

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

To ensure coherence and improve efficiency, Food Plans should be considered in tandem with Local Development plans and Wellbeing Plans.

It is worth exploring where reporting is already required to ensure no need to double up.

It is important that all relevant departments are included. In particular, those dealing with health, welfare and social services, local taxation, procurement, planning teams and estates teams.

The latter is important because consideration should be given to how land owned by local authorities and other public bodies can be used to help meet the goals of the Local Food Plans, by using it for local sustainable food production. County farms are particularly relevant here. Historically, they provided an entry route for new farmers, but they are now being rapidly sold off. Together with Shared Assets Landworkers' Alliance is conducting a research project exploring how to remove barriers to public bodies making land available for community farms.

One excellent example of this is at Morriston hospital in Swansea. Please see the details of this in our [case study](https://www.farmgarden.org.uk/sites/farmgarden.org.uk/files/rgs_exploring_community_access_to_farms_land_-_case_study_4_1_0.pdf).
https://www.farmgarden.org.uk/sites/farmgarden.org.uk/files/rgs_exploring_community_access_to_farms_land_-_case_study_4_1_0.pdf

The relevance of including planning departments in relation to agriculture outlined in our response to question 2. It is also important that local government consider how both planning and business rates can be used to support local food markets by controlling the spread of supermarkets (see our response to question 1 for details on the problems of supermarket dominance) and supporting healthy competition between independent food retailers; addressing food deserts by creating supportive environments for social enterprises and independent food businesses.

We refer you to Vocal for Local, our report which includes case studies and policy recommendations for more on how resilient local food systems can be supported.
<https://landworkersalliance.org.uk/wp-content/uploads/2021/07/Vocal-for-Local.pdf>

The Bill should include provision for sufficient resources. Local authorities are hard pressed to deliver existing obligations so to add these requirements onto them without adequate staff would set them up to fail .

We believe that the Sustainable Food Places network provides excellent examples of how having dedicated staff focussed on working with local food businesses, farmers, community growers, food aid organisations and others can build resilience and create opportunities.

Conclusion

We welcome the opportunity to comment on the Food (Wales) Bill and believe that more cohesive policy making around food is needed in Wales. We need to move away from a food system that treats meeting our environment, health and livelihoods as separate, to one in which feeding people, providing dignified livelihoods and ensuring mental and physical wellbeing for all, are challenges that are addressed in conjunction with each other, and that meeting these needs does not come at the expense of the natural world. To discuss this response or for further information, please contact our Welsh Policy & Campaigns Coordinator Holly Tomlinson on holly.tomlinson@landworkersalliance.org.uk.