Handout Critical Review of Actual Policies, Norms and Regulations bearing on City Region Food Systems
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1. **What do we mean by “critical policy analysis” and why we do it?**

As part of a City Region Food System (CRFS) Assessment we will implement a critical analysis of existing policies, norms and regulations bearing on different aspects of the CRFS. Such critical analysis of the policy context is needed, in order to develop a good understanding of the current legal and planning framework in which CRFS activities take place. The analysis includes policy documents, bylaws, ordinances, regulations, etcetera, that deal directly with CRFS activities (such as food production, processing or retail) as well as other policies and regulations that have a strong influence on the CRFS (e.g. land use plans and zoning, health regulations, marketing regulations, food policies etcetera).

Such a review of existing policies and regulations is helpful in order to:

- Identify what are local and other relevant governments (national, provincial) current main policy goals and priorities. How could the CRFS contribute to them?
- Identify what are the actual policies, norms and regulations and urban development and zoning plans that effect (the CRFS. How successful and effective are these policies and instruments to date (do they have the intended effects?; if not why not?)
- Specifically: understand what are land use planning and preservation/zoning regulations at municipal and national level? How is land ownership organised? Rules and regulations for sale of land? Use of government owned land?
- Analyse if there are there any inconsistencies between the various sectors regarding their views on and support to the CRFS (e.g. public health or environmental management policies) or between policies at different levels (e.g. local versus national)? How can potential inconsistencies be harmonized, what are opportunities to integrate the CRFS better into these sector policies?
- Identify which existing policy measures did or did not work well (effectiveness, enforcement costs etcetera) or are outdated or unnecessary restrictive (municipal by-laws, ordinances, zoning regulations etc.).
- What are the needs and possibilities to improve the effectiveness of existing policies or to promote the development of new policies and plans on CRFS; and what is their relevance for certain categories of the population (e.g. women, small-scale producers)?
- What opportunities exist to integrate CRFS better into the various sector policies and/or to harmonize better their support for CRFS?
- Identify what are current decision-making structures of relevance for the CRFS?
2. How to implement the critical analysis?

2.1. Preparations

Meetings are organised with all persons that will involved in this activity in order:

- to familiarize them with critical policy analysis (why, what, when, how),
- to define the methodology to be applied and instruments to be used,
- to define what product(s) have to be developed as a result of the policy analysis,
- work planning: who will do what when how/means,
- how to coordinate /monitor these activities.

The meeting(s) should result in a methodological document that should describe: main concepts, methodology, instruments used, operational plan/time schedule/commitments, products to be produced.

2.2. Inventory of relevant policy documents, strategic plans and regulations

By reviewing available information from reliable sources (literature, past and on-going projects, CRFS stakeholders), “brainstorming” in the team and interviews with key informants from local and national government (Agriculture, Health, Environment, Economic Development, Social Development, Town and Land use Planning, ..) and other relevant stakeholders (NGOs, research, private sector) a list of all relevant policy documents is developed.

We might subdivide the list in:

a. Municipal or National Strategies, Plans, Bye-laws, Ordinances etcetera that deal primarily with CRFS activities (food production, processing, storage, retail, consumption and waste management)

b. But also other sectoral bye-laws and ordinances (Public Health, Environmental Management, Housing, etcetera), the City Land Use Zoning Plan, the Strategic City Development Plan, and National legislation (Local Government Act, Public Health Act, Urban Planning or Land Act, Water Act, Housing Act, Agriculture Act, etcetera) that contain norms and regulations that are of direct relevance for the CRFS.

Please note that policies are not just “laws” but also Development Plans and Strategies, tax and economic incentive regulations, spatial plans, etcetera.

The list of policy documents should include at least the following information:

- **Name** of the document,
- **Sector**: a. on CRFS; b. part of other sectoral policy (indicate which one: health, social dev., economic dev., environment, ......)
• **Type:** a Normative Framework; b Law or Bylaw; c. Ordinance; d. Zoning regulations; e. City Development Strategy; f. Other ... (please indicate)
• **Scope:** a. National; b. Municipal; c. Other .... (please indicate).
• **Contact details** of the organisation/stakeholders responsible for this policy/plan (Name, function/organisation, address, telephone, e-mail),
• **Page numbers** of the document where reference is made or could be made to the CRFS.

2.3 Analysis of each of the existing policy documents on CRFS

A policy is likely to be more successful if:

- it seeks to address situations that are widely seen as problematic or to facilitate developments that are widely seen as desirable,
- is based on an adequate analysis of actual problems and potentials,
- is based on a clear view of the “future possible” in this case the desired role and functioning of the CRFS,
- has selected policy measures/instruments that are effective in producing the expected changes with the means available,
- has an adequate institutional framework for the implementation and monitoring of these measures,
- has sufficient legitimacy and public support (which often requires sufficient involvement of representatives of the people affected by the policy in its design and implementation and by effective communication to all others).

2.3.1 Analysis of existing Municipal and National policies/Plans on CRFS

Against this background, we suggest the following framework for the critical analysis of existing Municipal and National policies on CRFS. The first column indicates the issues to be reviewed, the second one important questions to look into and the final column provides some questions that may lead to the identification of possibilities to improve the actual policies on the CRFS (Column 2 and 3 are to be filled for each policy document/plan).

<table>
<thead>
<tr>
<th>What to analyse / document</th>
<th>Points of attention</th>
<th>Identification of possible improvements</th>
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<tbody>
<tr>
<td>What kind of policy document is this?</td>
<td><strong>Type</strong> of document? <strong>Sector</strong>? <strong>Scope</strong>? (see the classification given below the table)</td>
<td>- Could the relevancy of this policy for specific categories of the population -and/or its legitimacy and popular support- be improved by taking other interests and viewpoints into account (farmers, poor, women, other)</td>
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<td>Policy justification (background)</td>
<td>- How was the policy formulated; <strong>who</strong> were involved? - Is the situation analysed in an integrated way or from one</td>
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<td><strong>Vision / Objectives / expected results of the policy</strong></td>
<td><strong>Selected policy measures and instruments to realise these objectives</strong></td>
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<td>- Do the objectives indicate a clear vision regarding the desired development of the CRFS (the functions one expects the CRFS to play in the realisation of municipal or national strategic development plans/sector policies and the kind of developments in the CRFS that will be supported or conditioned/restricted).</td>
<td>- What policy measures/instruments are applied?</td>
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<td>- What type of CRFS is promoted?</td>
<td>- Is it realistic to expect that the objectives/expected results will be realized with the actual policy measures?</td>
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<td>- Are the objectives well defining the expected results in given time periods</td>
<td>- What alternative policy measures could be applied the effectiveness of the policy be improved by adding other types of policy measures /instruments (or replacing existing ones by others)?</td>
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<td>- Are the target groups for this policy well defined?</td>
<td>- What adaptations of existing and inclusion of additional measures could be made to enhance gender sensitivity of the policy?</td>
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<td>- Could the policy be improved by clarifying the city’s vision on the future development of the CRFS and the desired role/functions it should fulfil?</td>
<td>- Check whether certain measures are not based on false assumptions regarding certain impacts of the CRFS and are not unnecessary restrictive or over optimistic regarding the expected effects of certain policy measures.</td>
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<td>- Collect research data and information on successful experiences on this issue elsewhere, which may form a good basis for design of more effective policy measures.</td>
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<td>The institutional framework for the operationalisation, implementation and monitoring of the policy</td>
<td>- Are specific <strong>interests of vulnerable groups</strong> taken into account and measures taken to ensure active participation of these groups?</td>
<td>- What improvements could be made to enhance their relevance/benefits of the policy for vulnerable groups and enhancing gender and social equity?</td>
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<td>The financial resources made available to implement the policy</td>
<td>- Does the policy define which organisation will <strong>lead and coordinate</strong> the operational planning and implementation of the various policy measures and have <strong>coordination and monitoring mechanisms</strong> been defined?</td>
<td>- What improvements could be made in the institutional framework in order to facilitate its implementation and effectiveness? - What can be done to further enhance the availability and quality of required human resources?</td>
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<td>- Have the <strong>roles</strong> (contributions and responsibilities) of other actors involved in the implementation been defined?</td>
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<tr>
<td>- Do the earmarked organisations have the required capacities to implement the policy?</td>
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<td>- Has been defined which <strong>sources of financing</strong> will be applied and to what <strong>levels/year</strong> to implement, coordinate and monitor the various projects and enforce the new laws and ordinances?</td>
<td>- What improvements could be made in the financing of the policy to enhance its effectivity and/or efficiency?</td>
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It is recommended to organise a meeting with persons responsible for the implementation of these policies/plans and representatives of the various identified key stakeholders in the CRFS and discuss the following questions:

- What results have been achieved so far?
- What policy measures worked well and which ones less so. Why?
- What problems have been encountered up to date and with what effects? What has been tried to tackle these problems and with what results?
- Which recent innovative projects and experiences have been undertaken that can be used as sources to improve existing policy strategies and instruments?
- What changes in the policy are proposed by whom and why? What is the likelihood of success of the proposed changes?
2.3.2 Analysis of consistency between various policies regarding the CRFS

Next to specific Municipal and National policies on the CRFS (contained in a specific policy document, bye-laws, ordinances) other Municipal and national policies may include policy measures and regulations of direct influence on the CRFS.

So we would like to know:

a. What measures and regulations of relevance for the CRFS are contained in other Municipal Policies and national policies and legislation (e.g. on Public Health, Environmental and Wastes Management, Social Development, Economic development, on Physical Town Planning, Land Use Development and Zoning on Gender, etcetera)

b. What restrictions or opportunities for the development of the CRFS do these measures and regulations imply? What can be done to make optimal use of these opportunities? To what extent the restrictions are based on scientific data or are unnecessary restrictive? What can be done to get these adapted?

c. To what extend such other policies are consistent with the existing Municipal and National policies/plans (if any) on the CRFS? What can be done to harmonize the various policies of influence on the CRFS?

Please document the answers to these questions.

2.3.3 Putting and validating analysis and proposals together with other stakeholders

Once all relevant policy documents are collected and the answers to the questions above have been documented, the team can proceed with a comprehensive analysis to identify:

- The extent to which and how CRFS activities are currently mentioned/integrated in the different municipal/national policies/plans?
- The constraints/possibilities these offers for promotion of (a more sustainable and resilient) CRFS? How to overcome constraints? How to make use of the possibilities?
- Other texts/ sections/statements that influence (positively or negatively) the possibility for further developing the CRFS? How to overcome constraints or make use of possibilities?
- Possibilities for integrating CRFS activities in the policy documents/plans.
The following table for analysis and proposals could be used:

<table>
<thead>
<tr>
<th>Name of policy document</th>
<th>Current mention of CRFS</th>
<th>Constraints/possibilities of existing statements for promotion of the CRFS and proposed solutions/strategies</th>
<th>Other statements/text that positively/negatively influence the CRFS and proposed solutions/strategies</th>
<th>Possibilities for integrating CRFS activities in the policy documents/plans</th>
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<td>Provide specific proposals for new text/statements and where to integrate them</td>
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2.4 Defining a lobbying strategy

Results of the analysis will be shared with the relevant stakeholders involved in the CRFS multi-stakeholder Task Force. A lobbying strategy can be developed in the Task Force to promote integration of CRFS activities in the various policy documents/plans. To do so the following questions will have to answered:

- What changes in the policy/plan are proposed?
- What is the likelihood of success of the proposed changes?
- What process should be followed to implement these changes? Steps to be taken? Stakeholders to be involved? Critical time-lines?
- Which lobbying strategies should be put in place, by whom and when??

2.5 Final analysis and reporting

The results on the analysis and definition of a lobbying strategy will be combined and integrated in a report on the policy scan. The report should include the analysis of existing policies and documents as well as the proposed lobbying strategy.