

Price Controls on Essential Food Items

Scottish Government Consultation

To: All Chief Executives, Main Contacts and APSE Contacts in Scotland.
For information only: England, Northern Ireland and Wales.

1 Executive Summary

The Scottish Government has launched a consultation on proposals to introduce statutory price controls on selected essential food items sold by large supermarket chains in Scotland. The proposals are intended to improve the affordability of essential food items, particularly for lower-income households, while also supporting access to a healthy and balanced diet.

The consultation considers the potential design and operation of a food price cap, including which products and retailers should be covered, how maximum prices should be set and adjusted, protections for primary producers, and arrangements for monitoring and enforcement. The Scottish Government is also seeking views on alternative approaches to price controls, including price freezes, profit limitations, mandatory discounting and basket-based price caps.

The proposals have particular relevance for local authorities because the Scottish Government is proposing that councils would be responsible for the monitoring and enforcement of any price cap scheme. This could involve officers undertaking inspections, issuing compliance notices and, where necessary, referring non-compliance for prosecution. The consultation therefore presents an opportunity for local authorities to consider the potential financial, administrative and operational implications of taking on these responsibilities.

APSE encourages members to engage with the consultation and provide evidence on the practical implications of the proposals, particularly in relation to enforcement, resource requirements and the potential impact on local businesses and communities. Responses are due by **Wednesday 25 November 2026**.

[Click here](#) for further information and to submit your response.

[Click here](#) to read the full report.

2 Overview

Food prices have risen substantially in recent years. [The Scottish Government states](#) that cumulative food inflation since 2020 was 38.1% to July 2026, compared with 32.1% for general inflation and 35.3% for average incomes. It argues that the impact is particularly significant for lower-income households, which spend a greater proportion of their income on food.

The consultation therefore explores whether statutory intervention in food prices could improve affordability. The proposed model would require qualifying retailers to offer at least one type or variety of a specified essential food item at or below a maximum price. The obligation would apply where a retailer already offers the relevant product for sale, rather than creating a general duty to stock every capped item. The proposals would cover both physical stores and online sales.

The Scottish Government has not yet determined the final list of products or retailers that would be covered. The illustrative proposal would initially apply to large supermarket businesses meeting criteria based on grocery turnover, employee numbers and annual turnover. However, the consultation seeks views on whether smaller retailers, convenience stores, franchises, specialist retailers and other businesses should also be included.

The consultation also considers how products should be selected, including affordability, nutrition, consumer preferences, food security and impacts on producers and businesses. Issues such as product sizes, seasonality, domestic production, environmental impacts and the potential effect on food supply chains are also considered.

A key issue for local government is the proposed enforcement model. The Scottish Government proposes that local authorities would appoint authorised officers to undertake enforcement. Officers could issue compliance notices where they have reasonable grounds to believe that a qualifying business has breached the price cap duty. Failure to comply with a notice could constitute an offence, with cases potentially being referred to the Procurator Fiscal. The consultation also seeks views on alternative penalties, including fixed penalty notices.

The Scottish Government acknowledges that the resource implications for regulators and local authorities cannot yet be quantified and is seeking evidence to inform the final Business and Regulatory Impact Assessment (BRIA). Potential additional responsibilities identified include monitoring, business engagement, compliance assessment, record keeping and enforcement.

2.1 Why local authorities should engage

Although food pricing is not traditionally a local government policy area, the implications of food affordability are already relevant to local government. [Scottish Welfare Fund Statistics for 2025/26](#) show that Scottish local authorities made over 167,000 Crisis Grant awards through the Scottish Welfare Fund, with costs reaching £21.9 million, a 26% spending increase on the previous year. Furthermore, the proposed enforcement arrangements mean that councils could have a direct statutory role in implementing any future price cap scheme.

Local authorities should therefore consider responding to the consultation to ensure that the practical realities of enforcement are reflected in the development of the policy. In particular, councils are well placed to provide evidence on the capacity of existing enforcement services, the potential need for additional authorised officers and training, the likely costs of inspections and investigations, and the practical challenges associated with monitoring prices across physical and online retail environments.

The consultation specifically asks whether local authorities are the most appropriate bodies to undertake compliance and enforcement, what the likely costs and practical implications would be for councils, what information businesses should be required to retain, and how online sales should be monitored.

There may also be wider local impacts to consider. The Scottish Government recognises that the proposed scheme could affect smaller retailers, rural and island communities, local food businesses and supply chains. Councils may therefore wish to provide evidence from their own areas on access to affordable food, the characteristics of local retail markets and the potential consequences of including or excluding different types of retailers.

The Scottish Government has indicated that further engagement with COSLA, local authorities, Society of Chief Officers of Trading Standards in Scotland (SCOTSS) and other relevant bodies is planned to better understand operational, financial and administrative implications. Local authority responses to the consultation can therefore help establish an evidence base before any legislation is brought forward.

3 Consultation Questions

The consultation questions are categorised as follows:

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The consultation questions are available in full below:

The [consultation paper](#) contains full background information for this consultation. You may find it useful to read or refer to while responding.

1. Do you agree or disagree that improving the affordability of essential food items, particularly for low-income households, should be a policy priority for the Scottish Government?
Agree; Disagree; Unsure
2. Do you agree or disagree that government intervention is required to improve the affordability of essential food items?
Agree; Disagree; Unsure
3. Do you agree or disagree with the proposal to introduce price caps on selected essential food items?
Agree; Disagree; Unsure
4. Please explain your answers to Questions 1 to 3, including any alternative approaches or steps that should be taken to improve food affordability.
5. What do you consider to be the main benefits of food price caps? Please provide evidence where possible.
6. What do you consider to be the main risks or unintended consequences of food price caps? Please provide evidence where possible.
7. Which model of price cap do you consider likely to be the most effective: an item level price cap; a category-based price cap; a basket-based approach; or an alternative? Please explain your answer in the text box below, describing any proposed alternatives and considering the costs and benefits of a preferred approach.
8. Do you agree or disagree with the proposal that if a price capped item sells out, then the retailer should be required to sell an alternative at the capped price (if available and on sale to customers)?
Agree; Disagree; Unsure
9. The proposal is that retailers would not be required to stock price capped food items. Do you agree or disagree with this approach?
Agree; Disagree; Unsure
10. Please explain your answers to questions 8 and 9.
11. Do you agree or disagree that price caps should apply to relevant products sold online?
Agree; Disagree; Unsure
Please explain your answer below.
12. Do you agree or disagree that a retailer should be able to meet their obligation to offer a food item at a capped price by offering a variety that exceeds the minimum requirements

specified in Regulation? For example, if the requirement related to 1 pint of milk, could the obligation be met by selling a 2 pint carton at the capped price?

Agree; Disagree; Unsure

Please explain your answer below.

13. Should price capped foods:

- Have specific branding?
- Have specific signage/labelling?
- Be located or grouped together in-store (and online)?

Yes; No; Unsure

Please explain your answer below.

14. To what extent do you think the following factors should be taken into account when selecting items that would be subject to a price cap?

- General affordability (particularly as regards persons on low incomes)
- Healthy eating policies
- Nutrition guidance
- Impacts on producers, retailers and other impacted businesses
- Consumer preferences
- Food security

0 (not important); 1; 2; 3; 4; 5 (very important)

Please explain your answer below.

15. Which food items or product types should be prioritised for inclusion in any future price cap scheme?

16. Are there any food items or product types that you think should not be included in any future price cap scheme?

17. How should the Scottish Government take into account the seasonality of food when applying price caps to essential food items?

18. How should the Scottish Government take into account the issue of applying price caps to products that come in different sizes, weights, quantity, etc.?

19. How should the Scottish Government reflect the varying nutritional requirements of the population for example due to health needs, religious requirements, cultural, social or other preferences?

20. Do you agree or disagree with the proposal that any price cap scheme would apply to large supermarket chains only?

Agree; Disagree; Unsure

Please explain your answer below.

21. Do you agree or disagree with the proposed definition of qualifying retailers that would be in scope, as outlined in the consultation?

Agree; Disagree; Unsure

Please explain your answer below, particularly with reference to any alternative definitions you may wish to provide.

22. Should the price cap policy be applied to any of the following:

- Independent convenience stores
- Franchise convenience stores
- Symbol group convenience stores
- Specialist retailers (e.g. bakeries; butchers; greengrocers; fishmongers)
- Locations that do not sell groceries as their primary purpose (e.g. coffee shops; petrol stations)
- Smaller retailer selling supermarket brand goods
- Other (please state)

Yes; No; Unsure

Please explain your answer below.

23. What exemptions, if any, should apply?

24. What factors do you think the Scottish Government should take into account when deciding the level at which a price cap is set for any essential food item?

25. Should Ministers set initial price caps below observed market prices in order to deliver an immediate affordability benefit?

Yes; No; Unsure

Please explain your answer below, considering any benefits or risks to this approach.

26. What approach do you think Ministers should take when setting the initial capped price of a food product? Please consider the benefits and risks to any approaches detailed.

27. How should the price of a price capped item change over time? Please consider the benefits and risks to any approaches detailed.

28. Do you agree or disagree that the level of price caps should be the same for all businesses in scope and across all parts of Scotland?

Agree; Disagree; Unsure

Please explain your answer below.

29. What impacts, if any, do you think a food price cap scheme could have on producers and other businesses within the food supply chain? Please provide any evidence or examples to support your answer.

30. What mitigation measures should be considered to minimise any potential adverse impacts on primary producers and other actors across the food supply chain?
31. To what extent do you think it is possible to trace profits and margins throughout the supply chain for a variety of goods? Please provide any evidence or examples to support your answer.
32. Please detail any other issues you want the Scottish Government to take into account for primary production when considering a price cap scheme and how risks could be mitigated.
33. Do you believe local authorities are best placed to deal with the issue of compliance and enforcement for any price cap scheme?
Yes; No; Unsure
Please explain your answer below, detailing any alternatives you wish us to consider.
34. Do you believe the approach to offences outlined in the consultation is the correct one?
Yes; No; Unsure
Please explain your answer below, detailing any alternatives you wish us to consider.
35. Do you believe a fine imposed by the courts is the most appropriate penalty for the offence of failure to comply with a compliance notice?
Yes; No; Unsure
Please explain your answer below, detailing any alternatives (including fixed penalty notices) you wish us to consider.
36. What information, if any, should qualifying businesses be required to provide or retain to demonstrate compliance with a food price cap scheme?
37. What are likely to be the burdens, costs or practical implications of ensuring compliance with a food price cap scheme for:
- Qualifying businesses
 - Local authorities
38. What other issues should be taken into account when considering the question of compliance and enforcement of sales taking place online?
39. Is no fewer than 4 years, no more than 6 a suitable length of time for a statutory review period?
Yes; No
Please explain your answer below.
40. What should Scottish Ministers consider when reviewing the effect of the legislation, and what evidence would be required to support the review?
41. Should interim reviews be conducted before the statutory review?

Yes; No

Please explain your answer below.

42. Do you agree with the proposal to include a sunset clause in any future legislation?

Yes; No

Please explain your answer below.

43. Should Ministers have flexibility to amend elements of a food price cap scheme in response to changing circumstances?

Agree; Disagree; Unsure

Please explain your answer below.

44. Please outline the detail of any other groups, communities or businesses that might be affected by a price cap scheme that is not considered elsewhere in this consultation.

45. Are there any wider social, economic, practical, regulatory or supply chain considerations that should inform future development of this policy?

46. Do you foresee any impacts on the ability of businesses to trade either within the UK market or internationally from any of the proposed measures?

47. Please provide any comment here about the partial Business and Regulatory Impact Assessment referred to above and published separately to this document.

48. Please provide any comments on this proposal not covered elsewhere in this consultation.

4 APSE Comment

The proposals represent a significant intervention in the food retail market and raise a range of questions about how a price control system could operate in practice. While food pricing is not traditionally a local government responsibility, the proposed role for local authorities in monitoring compliance and undertaking enforcement means that councils have a direct interest in the development of the policy.

Of particular importance will be the practical implications of any new responsibilities placed on local authorities. The consultation provides an opportunity for councils to set out their views on the proposed enforcement arrangements, including whether local authorities are the appropriate bodies to undertake this work and what resources, capacity and information would be required to support effective implementation. Councils may also wish to consider the potential implications for businesses and communities within their areas.

APSE encourages member authorities to engage with the consultation and, where possible, provide evidence of the potential implications for local government. Responses from local authorities can help ensure that the development of any future price control scheme takes account of the realities

of delivery and enforcement at a local level and reflects the different circumstances of urban, rural and island communities.

5 How can APSE help?

All APSE members can access the APSE Scotland network, which provides updates, information, and opportunities to engage with colleagues across local government in Scotland. Members can keep up to date with regional activities, events, policy developments, and networking opportunities by visiting the Scotland members' area. You can access the network using this link: [APSE Scotland](#)

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APSE member authorities have access to a range of membership resources to assist in delivering council services. This includes our regular network meetings, specifically designed to bring together elected members, directors, managers and heads of service, together with trade union representatives to discuss service specific issues, innovation and new ways of delivering continuous improvement. The networks are an excellent forum for sharing ideas and discussing topical service issues with colleagues from other councils throughout the UK.

Networks are a free service included as part of your authority's membership of APSE and all in-person networks end with an informal lunch to facilitate networking with peers in other councils. If you do not currently receive details about APSE Network meetings and would like to be added to our list of contacts for your service area, please email enquiries@apse.org.uk

Our national networks include:-

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- Social Value, Procurement and Commercialisation Network
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- Renewables and Climate Change
- Roads, Highways and Street Lighting
- Sports and Leisure Management
- Vehicle Maintenance and Transport
- Veterans and Military Champions Network
- Local Government Reorganisation Network
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