

From: [REDACTED]
To: [SheffieldPlan](#)
Cc: [REDACTED]
Subject: My objection to policy NC12 on hot food takeaways in the draft local plan
Date: 10 February 2023 14:52:33
Attachments: [Objection to the proposed ban on new hot food takeaways opening before 5pm within 800m of a secondary school.docx](#)

Please find attached my objection to this policy. I would like to make a representation in person at the hearings. Please acknowledge this email.

Best

Joe

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Joe Otten

Liberal Democrat councillor for Dore & Totley

Chair of Waste and Street Scene Policy Committee

Objection to the proposed ban on new hot food takeaways opening before 5pm within 800m of a secondary school

This is an objection to policy NC12 on pages 44-45 of Part 2 of the proposed local plan. I am asking that clause a) be removed.

This objection comes in three parts: 1. Effectiveness, 2. Justification, and 3. Consistency with national policy, followed by a summary.

1. Effectiveness

The implied/stated aim of this policy is to reduce childhood obesity. There is no adequate evidence given to support the effectiveness of this policy. In particular.

A. Hot food takeaway is a planning term not a nutritional one and there is no clear relationship between the type of outlet (hot food takeaway, restaurant, sandwich shop, corner shop, supermarket) and the quality of food that may be bought there; rather at any such type of establishment it is possible to buy food that is both good and not so good.

To evidence the effectiveness of a policy restricting food from one type of outlet, there would need to be some analysis of what type of outlet and what type of food will take its place. A hungry teenager on the high street will always have access to chocolate, crisps and fizzy drinks. There is no attempt here to regulate restaurants (such as McDonalds), and food that may be delivered.

B. It is understood that not all secondary schools allow children out at lunchtime, so any ban on lunchtime trading in these cases will have no effect and is wholly without justification.

C. Existing establishments will be allowed to continue trading, so the main effect of this policy will be to restrict choice. Effectiveness would therefore rest largely on new arrivals being generally nutritionally worse than existing traders. There is no evidence offered for this and the reverse is likely to be true. Existing traders are likely to be chip shops and Chinese takeaways, and new arrivals more likely to be Greek, Turkish, Thai, Malaysian, falafels, etc.

2. Justification

I sought evidence from planning officers used to support the proposed policy, and received an email which I will quote in its three parts below; the first (A) relating to the choice of 800m as the prohibiting radius, the second (B) relating to school exclusion zones and the third (C) relating to food environment more generally. The text of the email and papers referenced are indented in italics below.

A. In relation to the 800m distance

Firstly the walking distances are based on research undertaken by Steer Davies Gleave in 2005 for the Yorkshire & Humber Assembly.

Paras 2.7-2.10 refer to acceptable walk times – their conclusions show that people are generally prepared to walk 5 mins to a bus stop or 10 mins to a tram/rail station (equivalent to 400m and 800m at a typical walking speed of 80m per minute). The report says that the maximum walk time to local services is 20 minutes.

The 800m figure used in the hot-food takeaways is an officer judgement, taking into account the findings of the Steer Davies Gleave report. It is also consistent with the 20 minute neighbourhood concept in the Sheffield Plan.

Also, the further back we push the buffer from school the fewer takeaways pupils will be passing en route to and from school and therefore we are minimising their exposure.

This is very weak. Considering that the great majority of customers of a takeaway even 50 metres from a school are likely to be adults, there is no attempt at proportionality in the choice of 800m – a figure which will exclude takeaways from large parts of the city, including many high streets.

Because this policy is based on a likely maximum walking distance, it is reasonable to conclude that many people will drive to get a takeaway who might otherwise have walked, foregoing the exercise and undermining other policy goals.

B. Evidence for policies that include school exclusion zones

There is a large body of evidence which has shown a high degree of clustering of food outlets around schools. Children who are exposed to an unhealthy food environment may form lifelong unhealthy food habits (Day and Pearce, 2011; Walton et al., 2009; Chiang et al., 2011).

Use of the word 'may' alerts us that this is speculation by the researchers in their papers. There is nothing wrong with them doing this, but we shouldn't interpret it as evidence.

The Day and Pearce 2011 conclusion reads:

Food environments in New Zealand within walking proximity to schools are characterized by a high density of fast-food outlets and convenience stores, particularly in more-socially deprived settings. These obesogenic environments provide ready access to obesity-promoting foods that may have a negative impact on student diet and contribute to inequalities in health.

(This is the abstract, the full paper is not available to me)

I cannot judge whether the clustering effect is real from this, in that many things are likely

to cluster, and perhaps a control establishment might exhibit the same pattern. It is also hard to see how clustering is relevant to the merits of the policy, except that it may amplify any moral panic; that is to say we are interested in whether takeaways in particular locations cause a significant problem not really in how many there are.

In any case the paper does not attempt to show any link between the presence of food outlets and obesity.

The Walton et al 2009 abstract reads:

Schools are commonly seen as a site of intervention to improve children's nutrition, and prevent excess weight gain. Schools may have limited influence over children's diets; however, with home and community environments also exerting an influence within schools. This study considered the environment of food outlets and outdoor food advertisements surrounding four case study primary schools in New Zealand, and the impact of that external environment on within-school food environments. The shortest travel route between school and home addresses, and the number of food outlets and advertisements passed on that route, was calculated for each student. Interviews with school management were conducted. The schools with a higher percentage of students passing food outlets and advertisements considered that their presence impacted on efforts within schools to improve the food environment. Limiting students' exposure to food outlets and outdoor food adverts through travel route planning, reducing advertising, or limiting the location of food outlets surrounding schools could be explored as intervention options to support schools in promoting nutrition.

This is extremely weak for our purposes. The visibility of outlets and advertising is believed by educators (rightly or wrongly) to weaken their efforts in promoting good nutrition.

Somebody's belief isn't evidence, and in this case that belief isn't even that children's diets will be directly affected. If accepted this paper might support restrictions on advertising, signage, etc, similar to that appropriate to tobacco or pornography, but to prohibit the sale of fast food in a large area altogether while allowing tobacco, alcohol, gambling and pornography would be irrational.

I did not find the Chiang et al 2011 paper.

In the two cases where the papers were found, the researchers **were not even studying** the question of whether "children who are exposed to an unhealthy food environment may form lifelong unhealthy food habits", yet these papers have been cited in support of this claim.

C. Additional evidence for policies that minimise exposure:

Evidence shows that in a similar vein to junk food advertising, increased exposure to fast-food outlets changes societal norms which in turn leads to normalisation of fast foods and increased consumption of those fast foods. In line with this public health evidence if we can limit the concentration of fast food outlets around secondary schools we are reducing the exposure of young people to them as many young people will be walking to and from school everyday along these high streets.

“In neighbourhoods with more fast food outlets, residents were more likely to perceive fast food consumption in the neighbourhood as more common and appropriate. In turn, stronger neighbourhood social norms were associated with higher fast food consumption.”

Here is a systematic review that found good evidence that children in neighbourhoods with more fast food outlets ate more fast food and had higher BMIs [The impact of hot food takeaways near schools in the UK on childhood obesity: a systematic review of the evidence - PubMed \(nih.gov\)](https://pubmed.ncbi.nlm.nih.gov/29590382/)

The link provided is <https://pubmed.ncbi.nlm.nih.gov/29590382/> . The abstract of this paper’s conclusion reads as follows

Most included studies compared anthropometric measures with geographical location of hot food takeaways to find correlations between environment and childhood obesity. There was good evidence of more hot food takeaways in deprived areas and children who spend time in deprived neighbourhoods tend to eat more fast food and have higher BMIs. Few studies were able to quantify the correlation between school's environment and obesity amongst pupils. This lack of evidence is likely a factor of the studies' ability to identify the correlation rather than lack of a correlation between the two variables.

So there is correlation found with deprivation that don’t think anybody would contest. A reasonable planning response to that – if restrictions on fast food were proportionate, which I do contest – would be to restrict fast food outlets in areas of deprivation or in areas of higher BMI or childhood BMI. Such a policy would certainly face accusations of class snobbery, which if merited would also apply here.

The line “Few studies were able to quantify the correlation” strongly suggests that evidence was sought but not found, for an effect on dietary health of the ‘school environment’.

From the full paper, I offer this quote:

“Despite the lack of good evidence on hot food takeaways and health, planning policies around the UK are being changed to reduce exposure to fast food”

I suggest that a lack of good evidence is precisely sufficient to reject any policy that must by law be supported by evidence.

Further comments on the evidence

No evidence was offered that food available at hot food takeaways was generally worse than that from other outlets, or that such outlets informed perceptions of what is normal or otherwise in food habits any more than other outlets – restaurants, corner shops, supermarkets - each of which seem to be actively steering us to the bad stuff once we are in the door.

Broadly speaking the evidence offered relates to the objective of ‘denormalising’ fast food as a broad goal for cultural change rather than relating to the particular likely choices of individuals. This presents a further challenge in terms of justification, for while individual dietary choices clearly affect health, a cultural change rejecting fast food a) might never happen, or b) might well lead to its substitution with something worse.

Since policies in the local plan need to be supported by evidence that they will be effective, there is a burden of proof on the advocates of ‘denormalisation’ that they will win. That is to say, a policy that must contribute to a successful strategy of cultural change in order to be effective, must offer both evidence that it contributes significantly to the strategy and evidence that such a strategy will be effective in order to claim evidence of effectiveness.

There is no such evidence, and I would suggest campaigns to denormalise errant behaviours rarely if ever win. The Temperance Movement of the 19th and early 20th century wasn’t successful. The abstinence movement in the USA brings many teenage pregnancies in its wake. Smoking has declined largely through high taxes, restrictions on where you can smoke, and most significantly, the arrival of vaping. There has been some success in changing attitudes around drink driving: very different, I suggest, because this is not a restriction of choice ‘for your own good’ but an illegal activity that puts other people in great danger.

Besides generally failing, movements for ‘denormalisation’ generally involve the demonisation and bullying of anybody who is non-compliant. Overweight children at school already face disproportionately more bullying than others, and while the restriction of hot food takeaways is unlikely to increase that bullying directly there is a risk that this policy contributes to a ‘normalisation’ of the broader crusade.

3. Consistency with national policy

The presumption in favour of economically sustainable development might be understood as affirming that restrictions on trade in food between consenting adults should not unduly imposed without some clear and overriding cause.

We have, for example, policies restricting tobacco, alcohol and gambling to adults, and regulating how and where these vices may be provided for. We don’t ban off licenses and betting shops within 800 metres of a school out of fear of a ‘normalising’ through exposure;

this would be considered too draconian, yet we are considering a measure like this when it comes to the somewhat lesser vice of takeaway food.

Rather, I suggest national policy demands that we should welcome competition and choice in food, and in particular the prospect of new cuisines on the high street giving us greater cultural vibrancy as well as economic benefits.

Policy should also recognise that where fast food isn't available locally it can be accessed from further afield by motor car or delivery service, by those who can afford it, at an additional burden in terms of air quality, carbon emissions and congestion. Such burdens should not be imposed unnecessarily.

4. Summary

The proposed ban on daytime hot food is an unjustified assault on food choices with no evidence offered that it will actually improve dietary habits, or that alternative foods chosen will be any better. It is sought in pursuit of a crusade for cultural change rejecting fast food that will fail, but that will bully and demonise children and adults along the way. Planning law is too blunt an instrument for this purpose, dealing as it does in use classes not nutritional value. The proposal is irrationally more draconian in the large geographical areas to which it applies than is regulation of the alternative vices of alcohol, tobacco, gambling and pornography. We might hope our child's worst vice is fast food.

Such evidence as exists that might support such a policy relates not to schools but to areas of social deprivation. It is irrational to target schools rather than areas of social deprivation, even for fear of accusations of snobbery.

Children who are not let out of school at lunchtime or who order delivery to the school gate are not recognised by the policy, nor is the social and environmental cost of the extra driving adults will do to obtain or deliver a takeaway meal.

The very welcome recent growth in the variety of cuisines available will be stymied, while multinational chains offering fast food via restaurants (such as McDonalds) will be given a more captive market.

The policy is ineffective, unevidenced, disproportionate and irrational.

Cllr Joe Otten

9th February 2023