

Neighbourhoods Scrutiny

31st March 2017



Report of: *Becky Pollard, Director of Public Health*

Title: Proposal for a Health Impact Assessment of Hot Food Takeaways In Bristol

Ward: Lawrence Hill and *Citywide*

Officer Presenting Report: *Sally Hogg, Public Health Consultant, Claire Lowman, Public Health Principal*

Contact Telephone Number: 0117 92 23162

Recommendation

- To consider if the current policy on proximity of hot food takeaways (class A5) to schools and youth facilities which is currently controlled by the Development Management Policy (DM10) of over 400 metres, would benefit from a health impact assessment on increasing the radius to 800 metres.
- To consider if the current DM10 policy on cumulative impact would benefit from a health impact assessment specifically relating to the Stapleton Road area within Lawrence Hill ward.

Summary

Proposal for a health impact assessment of Hot Food Takeaways in Bristol

The significant issues in the report are:

National mapping shows that Bristol has high levels of hot food takeaways, which have a correlation to deprivation and levels of obesity.



Purpose

This paper outlines the background and current situation regarding the proximity of hot food takeaways to schools and youth facilities in Bristol. Current policy is controlled by the Department Management Policy (DM10) which recommends that hot food takeaways should be allowed within a radius of 400 metres or over from premises where there are young people. National mapping shows that Bristol has high levels of hot food takeaways, which have a correlation to deprivation and levels of obesity. Scrutiny is asked to consider whether the current policy would benefit from a Health Impact Assessment on increasing the radius to 800 metres.

Context

In October 2016 Public Health England produced data on fast food outlets by local authority. It showed the density of fast food outlets per 100,000 population (Appendix A). Bristol was highlighted as having a high concentration of hot food takeaways, 494 outlets, which equated to 111.6 per 100,000 population, against an average of 88 per 100,000 population. From this data Public Health England also highlighted an association between areas of deprivation (at a national scale) and the density of hot food takeaways.

In order to gain a fuller understanding of the local picture, Bristol public health produced maps of hot food takeaway locations layered over (1) deprivation by ward (2) child overweight at Year 6 by ward (3) adult obesity by ward. (Appendix B). It was not expected that these maps would show a clear correlation between deprivation/obesity and the density of hot food takeaways as the causes of deprivation and obesity are multi-factorial (including income levels, education levels, knowledge around healthy eating, level of cooking skills, access to fresh food ingredients, facilities in the home to store ingredients and facilities to cook, and physical activity levels). In addition, people may not access food from only within their ward boundary, therefore outlets in close proximity to their workplace, school or college may be accessed on a frequent basis.

At a population level the evidence suggests that elevated levels of obesity can be found communities with high concentrations of fast food outlets¹ and that calorie-for-calorie, unhealthy food (typically foods high in fat, sugar and/or salt) cost less than healthy products such as fruits and vegetables².

In addition, local concerns from residents have prompted the need to assess the impact that density of hot food takeaways in areas could contribute to public health issues:

- A planning application at 541-551 Fishponds Road for a freestanding two storey restaurant with associated basement, drive-thru, car parking and landscaping, which

¹ Reference: Zenk SN, Schulz AJ, Odoms-Young AM. How neighborhood environments contribute to obesity. The American journal of nursing. 2009 Jul;109(7):61-4.]

² [Reference Currie; DellaVigna; Moretti; Pathania. The Effect of Fast Food Restaurants on Obesity and Weight Gain. American Economic Journal: Economic Policy, Vol 2, Number 3, August 2010, pp. 32-63(32)]

falls under Class A3 as there are seated facilities for eating as well as food to takeaway. This permission was refused and an appeal is in progress. The local community have concerns around its proximity to a secondary school at 420 metres.

- Joint Strategic Needs Assessment data and community feedback through the Inner East public health team highlighting key health issues in Lawrence Hill ward and requesting an assessment of the balance of hot food takeaway outlets against the number of outlets selling fresh ingredients on Stapleton Road. A site visit on 2nd March 2017 provided a count of 22 hot food takeaways against 13 fresh food outlets (grocers, butcher, fishmonger, mini-markets). However, there is also recognition that supporting local businesses (of which many are hot food takeaways) contributes to the economic development of the area.
- Councillors across the city are concerned with levels of overweight and obesity in young people, and the health inequalities which exist between wards. In addition the wider issue of food access and affordability have been raised.

Planning definition of a hot-food takeaway

It is important to understand the planning definition of a hot food takeaway in order to assess the scope and impact on public health, and the local influence/powers available to the planning department.

A5 Hot-food takeaway premises are defined by the 2005 Use Classes Order as:
"Premises where the existing primary purpose is the sale of hot food to take away."

A3 Restaurants and cafes Use for the sale of food and drink for consumption on the premises.

Takeaways are differentiated from restaurants because they raise different environmental issues such as litter, longer opening hours, and extra traffic and pedestrian activity, from those generally raised by A3 restaurant and café uses.

In cases where different uses are taking place on the same premises e.g. A3 and A5, information would have to be provided to confirm the premises' primary use. Under an A1 (shop) use some hot food (and hot drinks) can be sold to take away, provided it is heated up rather than cooked from scratch, e.g. soup, pastries, paninis etc.

Examples of A5 Use Class types	Examples of non-A5 Use class types
Fish and Chips Pizzerias Chinese/Indian takeaway	Public Houses Restaurants Cafes Sandwich shop

Table 1; Examples of A5 and non-A5 uses³

³ <https://www.ssthelens.gov.uk/media/3181/hot-food-takeaway.pdf>

Planning Policy context

Within the framework of national planning policy and legislation, local planning decisions can influence the development of hot food takeaways. Bristol's Local Plan (Site Allocations and Development Management Policy DM10 – attached) sets out the approach to food and drink uses and the evening economy with reference to the character of the area, residential amenity and/or public safety. It addresses the individual or cumulative impacts of these uses.

The policy also deals with health impacts. A 2010 high court decision established that the health implications of takeaways near schools can be a material planning consideration. Policy DM10 – Food and Drink Uses and the Evening Economy states:

'Takeaways in close proximity to schools and youth facilities will not be permitted where they are likely to influence behaviour harmful to health or the promotion of healthy lifestyles'.

The implication of this is that planning applications for takeaways which do not accord with the policy may be refused or only permitted subject to conditions; for example, on opening hours.

Policy DM10 is only applicable to developments requiring planning permission. The approach cannot be applied retrospectively to existing takeaways; however, cumulative impacts with existing takeaways can be taken into account when considering proposal for new takeaways.

In addition to planning permission, takeaways may also require various licences under other legislation. The granting of one does not affirm the other and different regulatory regimes are subject to their own assessment criteria.

Licensing context for food businesses

UK law requires that premises used for a food business (including market stalls, delivery vehicles and other moveable structures) must be registered with the local authority. This enables local authorities to keep an up-to-date list of all those premises in their area so they can visit them when they need to. The frequency of the visits depends on the type of business.

Street Trading Consent to trade is required for all street trading activities such as hot food vehicles, ice cream vans and flower stalls.

All Food businesses may be subject to inspection. The Food Safety team assess businesses for food hygiene rating and investigate food safety complaints.

Next Steps / Proposal

Scope of a health impact assessment on A5 class use

A policy of hot food takeaways not being located within 400m of a school or place where young people meet may not sufficiently cover the areas used. Catchment areas appear to be defined by time not distance. In Brighton, a study found that an 800 metre radius was more relevant and covered significantly more lunchtime journeys. Some pupils will travel further than 800 metres.

A desktop assessment can be completed using an 800 metre area to ascertain future exclusion zones. However, this cannot be applied retrospectively to existing outlets and therefore work would need to take place on improving the food offer using the 'Bristol Eating Better Award' framework.

Other Councils have developed additional guidance for planning departments. For example, Medway Council has developed guidance⁴ which states that it will:

- restrict the hours of operation of hot food takeaways within 400 metres of schools
- restrict A5 uses to 10 per cent in town centres and 15 per cent in neighbourhood and local centres.

Limitations of a health impact assessment on A5 class use only

Hot-food takeaway premises only part of the problem, with newsagents, other non-A5 outlets and supermarkets being influential on unhealthy food choices.

School's lunchtime policies vary according to the volume of pupils leaving schools, which year groups are allowed to leave, the capacity of school dining facilities, and the menu offers including price and healthy options.

Financial Implications

3. Not applicable at present as this is a desk top exercise.

Legal Implications

4. Not applicable at present as this is a desk top exercise.

Public Sector Equality Duties

Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

1. Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
2. Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to
 - Remove or minimise disadvantage suffered by persons who share a relevant protected

⁴ LGA Tipping the scales Case studies on the use of planning powers to limit hot food takeaways

characteristic

- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities)
- Encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

3. Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

Scrutiny Function

The Scrutiny function plays an important part in assisting the Council in meeting its public sector equality duties and ensuring that the views of different communities and members of the public are taken into account in the development and delivery of services. Scrutiny work streams need to ensure that assessments of equalities impacts are an integral part of their work both in terms of scoping topics, gathering evidence and formulating recommendations.

Appendices

Appendix A – Public Health England produced data on fast food outlets by local authority. Density of outlets per 100,000 population.

Appendix B – hot food takeaway locations layered over (1) deprivation by ward (2) child overweight at Year 6 by ward (3) adult obesity by ward.



Public Health
England

Obesity and the environment

Density of fast food outlets

Fast food outlets

by local authority

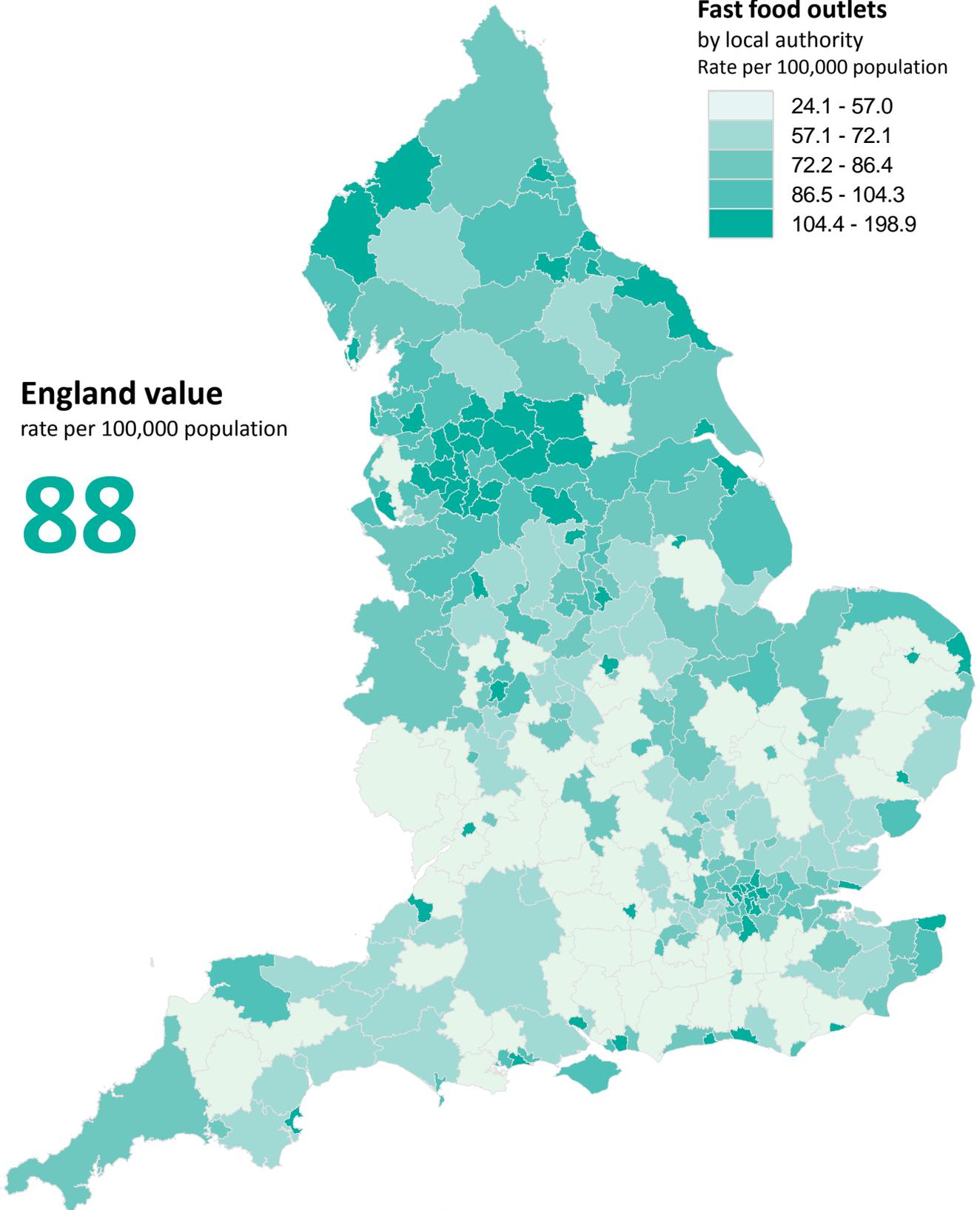
Rate per 100,000 population



England value

rate per 100,000 population

88



Density of fast food outlets in England

In this analysis 'fast food' refers to food that is available quickly, therefore it covers a range of outlets that include, but are not limited to, burger bars, kebab and chip shops and sandwich shops.

The density of fast food outlets in local authorities varies across England. The map (overleaf) shows the number of outlets for every 100,000 people resident in the local authority.

The density of fast food outlets in local authorities ranges from 24 to 199 per 100,000 population.

Most fast food outlets are independent companies with only one or two outlets.

There is a growing body of evidence on the association between exposure to fast food outlets and obesity, however some studies show conflicting results.^{1,2,3}

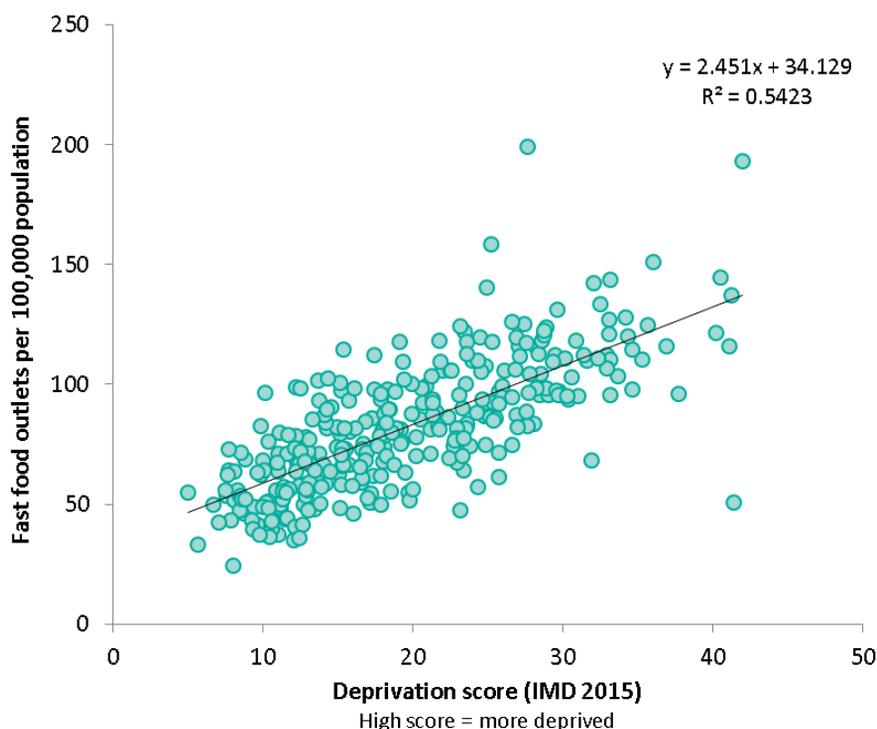
There is strong evidence linking the availability of fast food outlets and increasing level of area deprivation.¹

Counts of outlets and rates per 100,000 population for each local authority, counts of outlets for wards and links to further reading are provided in the accompanying Excel spreadsheet.

Please note that the fast food data presented here has a number of limitations and these should be considered when interpreting the data. Details of these limitations can be found in the accompanying Excel spreadsheet.

Relationship between density of fast food outlets and deprivation

by local authority



This chart illustrates the association between density of fast food outlets and area level deprivation.

The local authorities with a higher deprivation score (i.e. more deprived) have a greater density of fast food outlets.

Evidence from health survey data shows that the prevalence of overweight and obesity also rises with deprivation and fruit and vegetable consumption falls with deprivation.^{4,5}

Data sources

PointX: Fast Food Takeaway Outlets England: (i) Fast food and takeaway outlets, (ii) Fast food delivery services, and (iii) Fish and chip shops.

Office for National Statistics, MYE2: Population Estimates by single year of age and sex for local authorities in the UK, mid-2014.

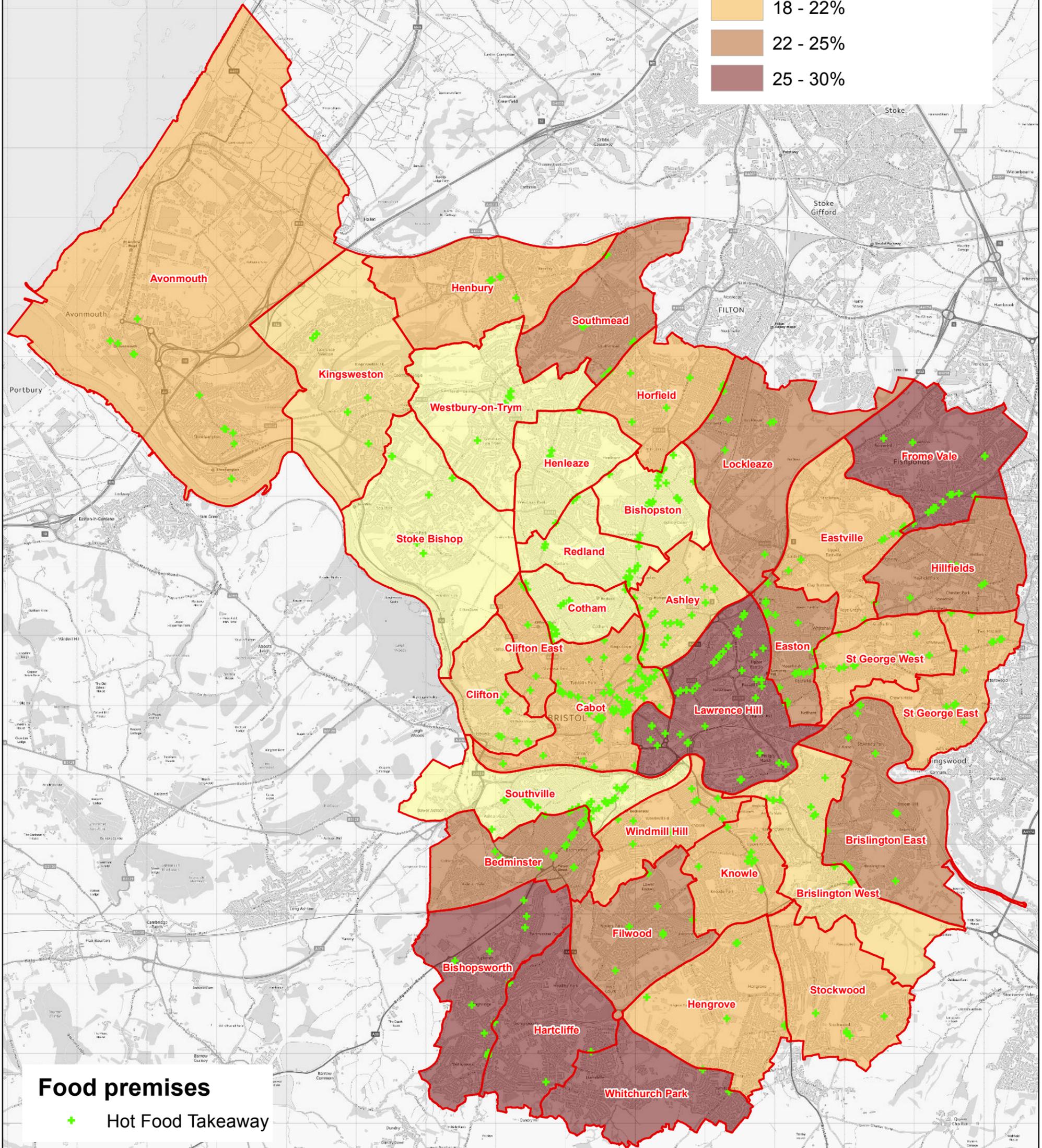
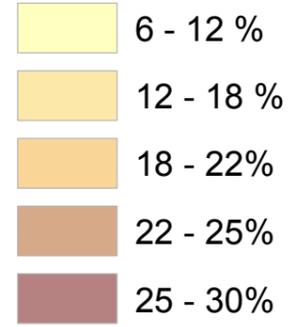
English indices of deprivation 2015, Index of Multiple Deprivation.

References

1. L K Fraser, K L Edwards, J Cade and G P Clarke. The Geography of Fast Food Outlets: A Review. *Int. J. Environ. Res. Public Health* 2010, 7, 2290-2308.
2. T Burgoine, N G Forouhi, S J Griffin, N J Wareham, P Monsivais. Associations between exposure to takeaway food outlets, takeaway food consumption, and body weight in Cambridgeshire, UK: population based, cross sectional study. *BMJ* 2014;348:g1464 doi: 10.1136/bmj.g1464.
3. T Burgoine, N G Forouhi, S J Griffin, N J Wareham, P Monsivais. Does neighborhood fast-food outlet exposure amplify inequalities in diet and obesity? A cross-sectional study. *The American Journal of Clinical Nutrition*. 2016;103(6):1540-1547. doi:10.3945/ajcn.115.128132.
- 4 & 5. Public Health England, Adult Obesity/Child Obesity slide sets and Adult Diet/Child Diet factsheets http://www.noo.org.uk/NOO_pub/Key_data

Percentage of Year 6 children recorded as very overweight per ward

Year 6 % Very overweight



Food premises

+ Hot Food Takeaway



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Ordnance Survey 100023406.



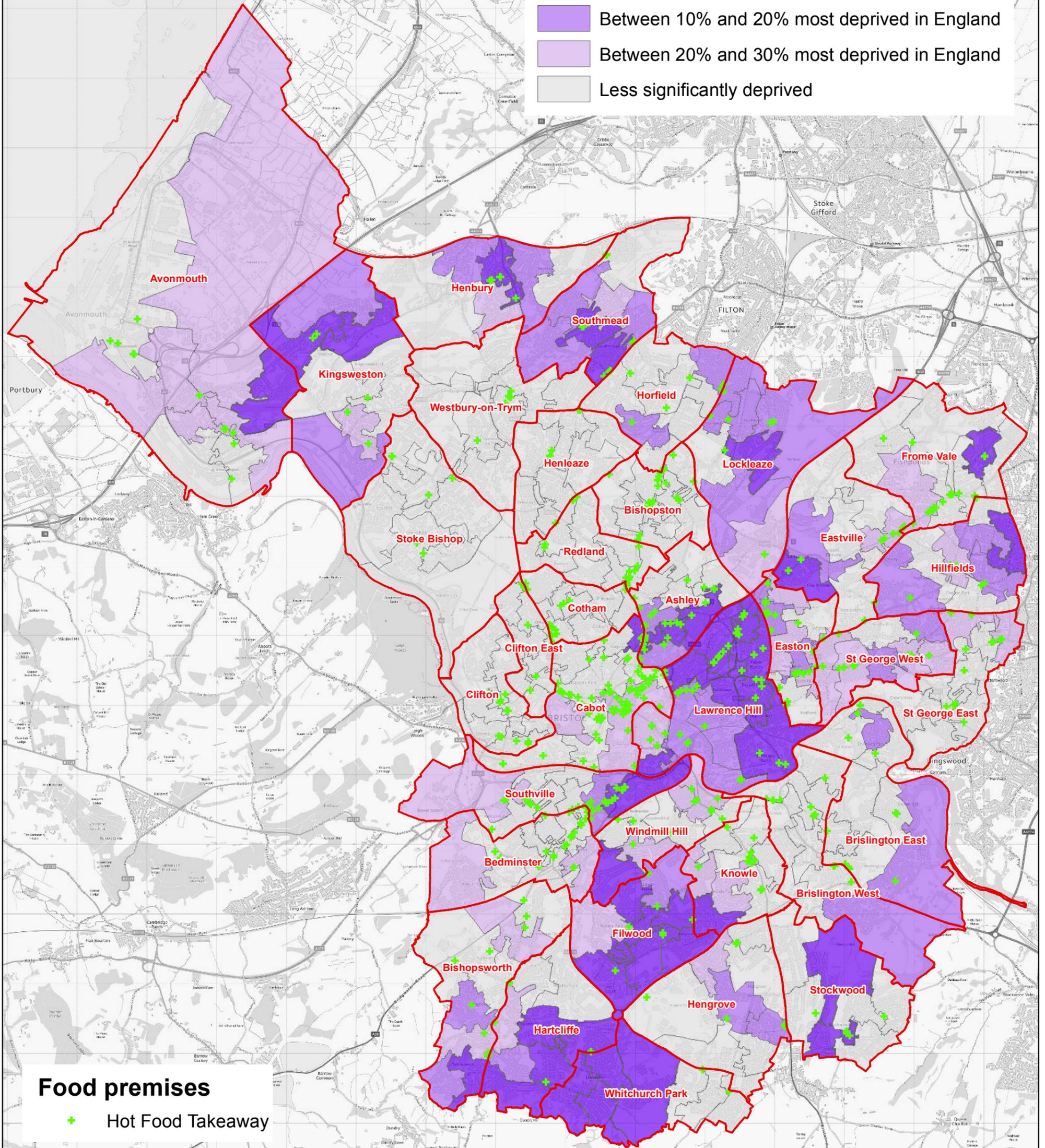
Corporate GIS 16-031



Bristol Indices of Deprivation and Hot Food Takeaways

Indices of Deprivation by LSOA11 2015 Index of Multiple Deprivation (IMD) % Rank

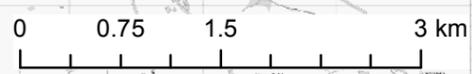
-  Most deprived 10% in England
-  Between 10% and 20% most deprived in England
-  Between 20% and 30% most deprived in England
-  Less significantly deprived



Food premises
+ Hot Food Takeaway



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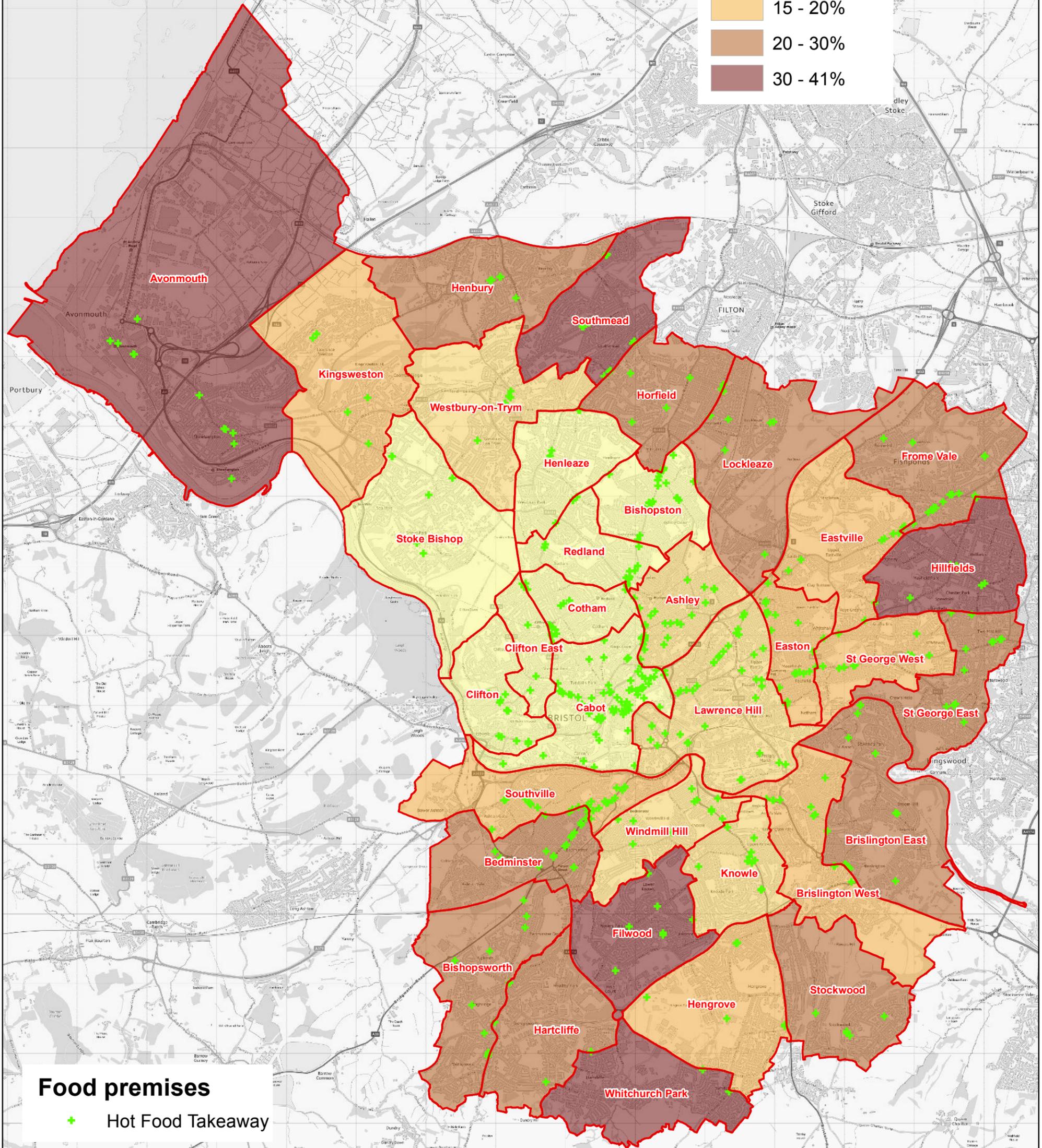
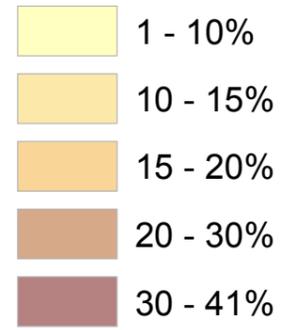


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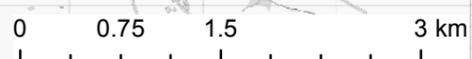


Percentage of obese adults by ward

Adults % Obese



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