

Healthier Food Environments Scoping Report

Consultation Statement 2023

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Consultation Statement

This consultation statement has been prepared in accordance with the Town and Country Planning (Local Planning) Regulations 2012. The council undertook a six-week public consultation on the Healthier Food Environments Scoping Report between 6 October 2022 and 17 November 2022.

Consultation

The council promoted consultation by:

- Sending an email/letter to the Planning Policy consultation database, this includes statutory bodies, ward councillors, key stakeholders and individuals who have requested to be informed of planning policy documents. This email/letter provided a link to the Scoping Report and details of how to make comments on the document.

Summary of Consultation Responses

Overall, a total of 23 responses have been received on the Healthier Food Environments Scoping Report; this includes representations from the following:

- McDonalds
- Natural England
- Newcastle Disability Forum
- Northumberland County Council
- Save Newcastle Wildlife
- The Coal Authority
- West End Residents' Association
- Individuals

Reference	Summary of Comments	Council Response
McDonalds	<ul style="list-style-type: none"> • Supports the promotion of healthier living and tackling obesity. • McDonalds creates employment, supports active and healthy lifestyles and has made numerous menu changes to reduce fat, sugar and salt content across their menu. • An exclusion zone is inconsistent with national planning policy. • Restricting hot food takeaways near to schools, parks and youth centres is not positive, justified, effective or consistent. • Inconsistent approach towards new development that sells food and operations with Sui Generis use. 	<p>Comments Noted.</p> <p>Comments noted.</p> <p>Planning Practice Guidance (PPG) which supplements the National Planning Policy Framework (NPPF) states that planning can influence the built environment to improve health and reduce obesity and excess weight in local communities. Planning policies and proposals may need to have particular regard to the following issues including proximity to locations where children and young people congregate such as schools, community centres and playgrounds. Exclusion zones are an effective way of doing this and have been consistently used in planning policy documents across the country.</p> <p>In September 2020 the government introduced changes to the Use Classes Order. Use Classes A1, A2 and A3 were effectively replaced with Use Class E (a,b,c). Use Classes A4 and A5 were not covered by Use Class E and became defined as “Sui Generis” (‘in a class of its own’). It is the hot food takeaway element that the SPD is proposing to control. Use Class E covers several uses which would not be feasible to control.</p>

Reference	Summary of Comments	Council Response
	<ul style="list-style-type: none"> <li data-bbox="506 260 1178 368">• The opportunity for children to access hot food takeaways, as part of a school day, is limited. <li data-bbox="506 448 1178 557">• No evidence of causal link between the presence of hot food takeaways and schools. 	<p data-bbox="1200 260 2074 403">Comment noted. The purpose of the exclusion zones is to limit children’s exposure to hot food takeaways on their route to and from school. The council are aiming to limit exposure to unhealthy food outlets in the food environment.</p> <p data-bbox="1200 464 2074 647">Studies have shown a link between the proximity of fast food restaurants, schools and weight gain. In particular lower income and minority ethnic students were more adversely affected (Engler-Stringer et al. 2014) and measures of proximity to home and school locations (Fraser et al. 2012).</p> <p data-bbox="1200 687 2074 903">Studies have shown that the school environment is one that allows adolescents to make food choices free from parental control (Grier & Davis. 2013). This study also shows a link between the proximity of fast food restaurants, schools and weight gain. In particular, lower income and minority ethnic students were more adversely affected.</p> <p data-bbox="1200 943 2074 1350">Studies have strongly suggested links between BMI proximity to fast food outlets (Carroll-Scott et al. 2013), (Davis & Carpenter. 2009), (Fraser et al. 2012). Fraser et al found that increasing fast food consumption led to a decrease in fruit and vegetables. Exposure to an obesogenic environment could lead to subsequent health problems in the future (Patterson et al. 2012). Other UK specific research highlighted small effects showing that the local food environment around secondary schools may influence the diet of adolescents (Smith et al. 2013). Fraser et al. 2012 found a consistent positive relationship between the</p>

Reference	Summary of Comments	Council Response
	<ul style="list-style-type: none"> • Examination of other plans have found similar policy approaches to be unsound. • Further exploration of policies that are more positive, have a reputable evidence base and comply with the Framework. 	<p>consumption of fast food and higher BMI scores and increased odds of being obese. Comment noted. There are many examples of this approach set out in adopted Local Plans and SPDs.</p> <p>The council's Local Plan includes policies to promote active and healthy lifestyles.</p>
Individual	<ul style="list-style-type: none"> • Full support for the document. • Agrees with the inclusion of primary schools. 	Support noted.
Individual	<ul style="list-style-type: none"> • More HFT are good as they bring competition, diversity, lower prices and employment. • HFTs can fill empty units. • Preventing obesity should be done through education. • HFT food can be healthy. 	Comments Noted. Whilst it is recognised that hot food takeaways do provide economic and employment opportunities, contribute towards the food offer and occupy units which may have remained vacant, hot food takeaways, when compared to other retail uses, have a greater potential to have a detrimental impact on residential amenity and environmental quality and typically offer food choices high in fat, salt and sugar.
Individual	<ul style="list-style-type: none"> • Full support for the document. • Concern about children's exposure to unhealthy food close to schools and recreation areas where children congregate. 	Support noted.
Individual	<ul style="list-style-type: none"> • No new HFT located within 400m to entry points of primary and secondary schools, parks, youth centres, or leisure centres. • No new HFT located in wards with high levels of childhood obesity – where more 	Comments noted. These policy options will be considered as part of the development of the draft SPD and where they can be justified and are enforceable, will be taken forward.

Reference	Summary of Comments	Council Response
	<p>than 10% of year 6 pupils are classified as obese.</p> <ul style="list-style-type: none"> • Within a defined centre of <30 units, planning permission should not be granted where the percentage of HFT exceeds 15%. For centres >30 units the % of HFTs should not exceed 7%. • A limit of two HFT outlets should be allowed with a separation of minimum 3 non-HFT units to any HFT. • HFT should not share a party wall with a residential property. • New HFT or expansion should not increase crime levels, fear of crime or anti-social behaviour. • Information to be submitted with application to show detriment will not be caused to highway safety. • Plans for odour/fume extraction and noise assessments to be submitted. • Late night opening hours not permitted. • Details of internal storage of refuse/waste and fat traps specified. 	
Individual	<ul style="list-style-type: none"> • Full support for the document. 	Support noted.
Individual	<ul style="list-style-type: none"> • Control measures paid by the operatives to prevent customers dropping their waste close to point of purchase. • Traffic impact to be considered on HFT proposals. 	Comments noted.

Reference	Summary of Comments	Council Response
	<ul style="list-style-type: none"> Assessments to ensure the proportion of healthy food options sold. 	
Individual	<ul style="list-style-type: none"> Reduce the numbers of hot food takeaways already in existence. 	<p>The SPD is unable to control existing hot food takeaways.</p> <p>The SPD will apply to planning applications for new-build and changes of use, covering hot food takeaways and mixed-use premises where takeaway food sales are not incidental to the main use.</p>
Individual	<ul style="list-style-type: none"> HFT located within 400m of primary and secondary school gates, advanced learning centres, colleges, youth and leisure centres. No new HFT in wards where 10% or more of children in year 6 are obese or overweight. Shopping centres/highstreets with <30 units, planning permission should not be granted where the percentage of HFT exceeds 15%. For centres >30 units the % of HFTs should not exceed 7%. A limit of two HFT outlets should be allowed with a separation of minimum 3 non-HFT units to any HFT. HFT should not share a party wall with a residential property. New HFT or expansion should not increase crime levels, fear of crime or anti-social behaviour. 	<p>Comments noted. These policy options will be considered as part of the development of the draft SPD and where they can be justified and are enforceable, will be taken forward.</p>

Reference	Summary of Comments	Council Response
	<ul style="list-style-type: none"> • Information to be submitted with application to show detriment will not be caused to highway safety, including adequate safe parking. • Plans for odour/fume extraction and noise assessments to be submitted. Exits from extraction systems should not face or be below residential premises or gardens. • Late night opening hours not permitted. • Details of internal storage of refuse/waste and fat traps specified. 	
Historic England	<ul style="list-style-type: none"> • No comments to make at this time on the scoping report. • Interested in considering further any specific land allocation proposals and their impact on the historic environment/buildings. 	Comments noted.
Individual	<ul style="list-style-type: none"> • Supports the inclusion of primary schools. • Concerns of noise disturbance, double-parking and littering. • Council working with the University and NHS on the proposed Campus for Ageing and Vitality (CAV) site to further this positive action. 	<p>Comments noted.</p> <p>The aspirations for the site support ambitions to improve health and wellbeing, building on the success of the Helix site and the National Innovation Centres for Ageing and Data. Newcastle University Developments Ltd (NUDL) are developing the site to be a leading example of intergenerational living, co-locating education and health to help people live longer and healthier lives through global leadership in aging and research. This will provide innovative solutions for living, leisure, learning and employment.</p>

Reference	Summary of Comments	Council Response
Individual	<ul style="list-style-type: none"> • Concerns of HFT contributing to childhood obesity, litter and rat problems. • Advertises at bus stops capitalising on HFT. 	<p>Comments noted.</p> <p>The use of advertisements is an area the council will explore further as part of our whole systems approach to healthy weight, physical activity and nutrition.</p>
Individual	<ul style="list-style-type: none"> • Full support for the document. • Adoption of policy seems to lag behind other authorities. 	<p>Support noted. The council already has an adopted Hot Food Takeaway SPD, this document would replace this.</p>
Individual	<ul style="list-style-type: none"> • Full support for the document. • Policy for promoting better lifestyles and wellbeing for residents. 	<p>Support noted.</p>
Natural England	<ul style="list-style-type: none"> • No comments to make on the Healthier Food Environments Scoping Report. • Should the proposal be amended in a way which significantly affects its impact on the natural environment, Natural England to be consulted again. 	<p>Comments noted.</p>
Newcastle Disability Forum	<ul style="list-style-type: none"> • HFT offer valuable service for the community. • If takeaways are not consumed regularly, they are not considered harmful. • HFT can be cheaper, quicker and a treat. • HFT add value to the economy and employment. • Support for policies to include all schools in exclusion zones and over-proliferation. • Controlling menu choices and sugar/salt/fat content. • Involvement of the council's Health Champions in this work. 	<p>Comments noted. It is acknowledged that hot food takeaways can provide a valuable service to local communities and do offer economic and employment opportunities. However, we have to balance the economic opportunities with the costs for society (NHS etc.,) in treating overweight and obesity issues due to the impact of an obesogenic environment. Public Health are approaching this through a whole systems approach to healthy weight, physical activity and nutrition and a wide number of stakeholders, including Community Champions, will be involved in delivering this.</p>

Reference	Summary of Comments	Council Response
Individual	<ul style="list-style-type: none"> • The HFT SPD 2016 has not worked. • HFT with a drive-through close to residential areas increase impacts on residential amenity, highway issues, operation hours including noise, anti-social behaviour and fear of crime. • Data on children passing HFT on their way to and from school or located close to bus stops/public transport used by children. 	<p>Comments noted. It is considered that the existing Hot Food Takeaway SPD has been successful since its adoption in 2016.</p> <p>We are proposing a more comprehensive approach based on the latest evidence to ensure that planning can continue to support the council’s approach to healthy weight, nutrition and physical activity.</p>
Northumberland County Council	<ul style="list-style-type: none"> • Policy that will contribute to a general perception across the region of the health issues associated with HFT and consistently addressed across a wide area. • ‘Levels of Obesity’ – proposed policy would place restrictions on any ward more than 10% of year 6 pupils classified as obese. Applied to Northumberland this would mean restricting every ward. • ‘Locations where Children and Young People Congregate – difficulty of determining this. Focussing this on areas close to the school gates, considering footpath routes followed. • Interested in anything emerging on Dark Kitchen given that large-scale operations could serve areas straddling the local authority boundary. 	<p>Comments noted. Policy options considered will be based on available evidence including data from NHS Digital and the National Child Measurement Programme.</p>

Reference	Summary of Comments	Council Response
Save Newcastle Wildlife	<ul style="list-style-type: none"> • Concerned by number of green spaces lost to built development across the city. • Permission for HFT should be severely restricted given number already existing. • Details of litter management plans secured by condition, implemented and enforced should be set out in the document. • Council improving access to healthy, local, affordable food by allocating more sites for allotments, community growing spaces and gardens. • More holistic approach needed to meet requirements of Policy CS14 Wellbeing and Health when considering new HFT. 	<p>Comments noted.</p> <p>The SPD will apply to planning applications for new-build and changes of use, covering hot food takeaways and mixed-use premises where takeaway food sales are not incidental to the main use.</p> <p>Comments noted.</p> <p>The council's Local Plan includes policies to promote active and healthy lifestyles including new open spaces, allotments and community food growing opportunities.</p> <p>Comments noted, the SPD is part of a wider effort to tackle unhealthy diets and support the council's approach to healthy weight, nutrition and physical activity.</p>
Individual	<ul style="list-style-type: none"> • Full support for the document. 	Support noted.
The Coal Authority	<ul style="list-style-type: none"> • Within the Newcastle area there are recorded coal mining features present at surface and shallow depth including; mine entries, shallow coal workings, mine gas sites and reported surface hazards. Features pose risk to surface stability and public safety. • Record of surface coal resource present, although this should not be taken to imply 	Comments noted.

Reference	Summary of Comments	Council Response
	<p>mineral extraction would be economically viable, technically feasible or environmentally acceptable. As part of the planning process, consideration should be given to such advice in respect of indicated surface coal resource.</p> <ul style="list-style-type: none"> • No specific comments to make on Healthier Food Environments Scoping Report. 	
<p>West End Residents' Association</p>	<ul style="list-style-type: none"> • Policy to restrict further development of HFT in locations where children and young people congregate, such as school bus stops. • HFT in locations that are highly accessible to children and young people should not be granted permission. • Endorse policy to include primary schools. • Aim of SPD should make environments healthier and more capable of supporting behaviour and choices that encourage weight loss and active lifestyles. 	<p>Comments noted. These policy options will be considered as part of the development of the draft SPD and where they can be justified and are enforceable, will be taken forward.</p>
<p>Individual</p>	<ul style="list-style-type: none"> • Council should consider health impacts relating to air pollution generated by traffic. • Issue of poor parking/traffic near HFT by enforcing traffic regulations. • Reduce the number/size of HFT. • Prevent drive throughs in residential areas. • Encourage walking and cycling rather than driving. 	<p>Comments noted.</p>

Consultation Summary

Overall a total of 23 responses have been received on the Healthier Food Environments Scoping Report.

- **Scoping Consultation** – was carried out from 6 October 2022 until 17 November 2022. 23 responses were received from organisations, individuals, statutory consultees and community groups.

A summary of the main comments raised:

- Supportive of policy to tackle obesity and unhealthy living.
- Supportive of the inclusion of primary schools in 'Locations where Children and Young People Congregate'.
- Concern of impact on jobs and employment if HFT are refused.
- Greater reference to supporting healthier and active lifestyles.
- Considering transport routes children and young people take to and from school where HFT can be accessed.
- Restricting HFT where children and young people congregate, such as bus stops.
- Clarity of guidance.
- Reduce the number of existing HFT.

Conclusions following Consultation

The majority of comments received were either in support, or beyond the scope of the SPD. The council considered that the approach taken is compliant with the Core Strategy and Urban Core Plan and National Planning Policy and is supportive by appropriate evidence.

The comments made have been considered and where possible have resulted in the development of detailed draft policies. The policy options included in the Draft SPD are considered to be justified and are enforceable.