

**Policy 24 – Health Impacts of Development:**

ID	Organisation
Duty to Co-operate / Interest Groups	
211	<a href="#">Nottinghamshire County Council</a>
6279	<a href="#">Bramcote Neighbourhood Forum</a>
48	<a href="#">Sport England</a>
Developer / Landowner	
6053	<a href="#">The British Land Company (Represented by WYG)</a>
4122	<a href="#">McDonalds (Represented by Planware Ltd)</a>

## Details

<b>Agent</b>	
<b>Please provide your client's name</b>	
<b>Your Details</b>	
<b>Title</b>	
<b>Name</b>	
<b>Organisation (If responding on behalf of an organisation)</b>	Nottinghamshire County Council
<b>Address</b>	
<b>Telephone Number</b>	
<b>Email Address</b>	
<b>Would you like to be contacted regarding future planning policy consultations?</b>	Yes
If you wish to comment on more than one issue you will need to submit a form for each representation.	

## Policy relates to

<b>Please specify what your comment relates to</b>					
<b>Policy number</b>	<b>Page number</b>	<b>Policy text/ Paragraph number</b>	<b>Policies Map</b>	<b>Sustainability Appraisal</b>	<b>Other (e.g. omission, evidence document etc.)</b>
24: The health impacts of development					

**Question 1: What does your comment relate to? Please specify exactly**

## Question 2

<b>Question 2: What is the issue with the Local Plan?</b>	
Do you consider this paragraph or policy of the Local Plan to be:	
<b>2.1 Legally compliant</b>	Yes
<b>2.2 Compliant with the duty to co-operate</b>	Yes
<b>2.3 Sound</b>	Yes

## Additional details

<b>Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details.</b>	NCC very much welcome the inclusion of this policy within the Plan. We propose that the title of this policy be changed to "Policy 24: The health and wellbeing impacts of development". This will better define the broader purpose of the checklist.
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## Question 4

Question 4: Modifications sought	
Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound.	NCC very much welcome the inclusion of this policy within the Plan. We propose that the title of this policy be changed to "Policy 24: The health and wellbeing impacts of development". This will better define the broader purpose of the checklist.

## Question 5

Question 5: Public Examination Attendance	
If your representation is seeking a modification, do you consider it necessary to participate at the public examination?	No
If you wish to participate at the public examination, please outline why you consider this to be necessary	

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<b>Agent</b>	
<b>Please provide your client's name</b>	
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<b>Name</b>	
<b>Organisation (If responding on behalf of an organisation)</b>	Nottinghamshire County Council
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24: The health impacts of development					

**Question 1: What does your comment relate to? Please specify exactly**

## Question 2

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<b>2.1 Legally compliant</b>	Yes
<b>2.2 Compliant with the duty to co-operate</b>	Yes
<b>2.3 Sound</b>	Yes

## Additional details

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Bramcote Neighbourhood Forum  
Response to Broxtowe Borough Council Part 2 Plan

Submitted by: [REDACTED]  
behalf of the Bramcote Neighbourhood Forum

			LEGALLY COMPLIANT		Compliant with Duty to Cooperate		Sound						
POLICY	PAGE / PARA.	TEXT	Yes	No	Yes	No	Yes	No		COMMENTS	MODIFICATIONS SOUGHT	PUBLIC EXAMINATION ATTENDANCE	WHY
Policy 1: Flood Risk			x		x		x					No	
Policy 2: Site Allocations	2.7			x				x	It is not justified	The statement that sites with commitments "of 10 or more dwellings these have been shown on the overview plans" is untrue and misleading - the land of the former Bramcote Hills Golf course was granted outline planning permission for 100 dwellings earlier in 2017 but is NOT shown on the overview plans	The consequences of commitments of more than 10 dwellings on housing land allocation should be considered in the evidence base	Yes	Part 2 is misleading in the way it represents the land committed for housing in Bramcote and therefore fails to provide sound support for land allocation adjacent to the former Bramcote Hills Golf Course
Policy 2: Site Allocations	2.8			x	x			x	It is not justified	The statement that the "the Council has maximised to the greatest possible extent the supply of sites in existing urban areas" is not true as, for example, it has failed to use the air space above the bus tram interchange in Beeston Town Square for residential and also failed to require residential development when granting planning permission for the redevelopment of Phase 1 of BeestonTown Square.		Yes	The Council should demonstrate why areas within the built up part of the Main built Up area are unsuitable for housing whereas an urban extension is
Policy 2: Site Allocations	2.8			x	x			x	It is not justified	The statement that "When sites currently in the Green Belt are selected, exceptional circumstances are demonstrated" is untrue for the land in Bramcote - no exceptional circumstances exist for allowing 300 homes to be developed on the green belt - the financial straits of a private company can hardly be considered a matter for planning	The permanence and openness of the green belt has been compromised by the proposals in Part 2 and no exceptional circumstances for the scale and extent of changes to the green belt have been provided.	Yes	The sacrifice of the green belt has not been justified
Policy 2: Site Allocations	"2.10			x	x			x	It is not justified	The statement "the urban and main built up area sites are assessed as being the most sustainable" has not been followed through by keeping land allocation within the main built up area and instead requiring release of the green belt		Yes	Part 2 is misleading as the text and Map 1 are not consistent and the extent of the Main Built Up area is grossly and wrongly over exaggerated
Policy 3: Main Built up Area Site Allocations	Map 2			x	x			x	It is not justified	The map mislabels open countryside adjacent to the M1 and stretching east to Bramcote as Main built Up area	The Map should be amended to reflect the built up area and ensure land allocation is retained within that built up area without urban extension and loss of green belt	Yes	Part 2 is misleading and the consequences of this mismatch between text, map and reality on the ground are enormous
Policy 3: Main Built up Area Site Allocations	3.2			x	x			x	It is not justified	The statement that "It is considered that there are exceptional circumstances required to amend the boundary of the Green Belt to allow residential development." is untrue for the land in Bramcote - no exceptional circumstances exist for allowing 300 homes to be developed on the green belt - the financial straits of a private company can hardly be considered a matter for planning		Yes	The sacrifice of the green belt has not been justified
Policy 3: Main Built up Area Site Allocations	Map 4			x	x			x	It is not justified	Map 4 omits the committed land on the former Bramcote Hills Golf course and thereby paints a very misleading picture of land allocation in Bramcote. Map 4, however, does illustrate the extent of open countryside east of the M1.		Yes	Part 2 is misleading and the consequences of this mismatch between text, map and reality on the ground are enormous
Policy 3: Main Built up Area Site Allocations	3.1		x		x			x	It is not positively prepared	The requirements fail to state the net housing density to be achieved	A minimum net housing density of 40 per hectare should be added and the effects of this on the total number of houses that can be delivered should be reflected in the list of requirements	No	
Policy 3: Main Built up Area Site Allocations	3.1		x		x			x	It is not positively prepared	The requirement for a small retail / service centre fails to recognise the nearby facilities and would jeopardise the viability of both existing and new businesses	Remove the requirement for a small retail/ service centre	No	
Policy 3: Main Built up Area Site Allocations	3.1		x		x			x	It is not justified	The extent of the public space to the south of the memorial is not shown and there is a potential use of land eminently suitable for housing to be lost in this way	The extent of the public space should be made clear and the reasons for not allocating that land for housing should be reported. There are plenty of green and open spaces within the Barracks.	Yes	It is essential that land allocation is optimised to prevent loss of green belt elsewhere and for the council to comply with National policy on the need to protect the green belt
Policy 3: Main Built up Area Site Allocations	3.3	3.7		x	x			x	It is not justified	The pen picture is inaccurate and fails to point out that part of the land is a county level protected area - the last remant of Bramcote Moor.		Yes	The true nature of the land ought to be understood before making decisions to take it out of the green belt and allocate it for housing
Policy 3: Main Built up Area Site Allocations	3.3	3.8	x		x			x	It is not justified	The figure of 300 houses is not justified and is at odds with both the objectively assessed housing need for Bramcote (ca 180 houses over the plan period) and the various statements by the leasors of this land of 350 or 450-500 homes.		Yes	It is essential that the use of this land is such as to deliver the maximum benefit for the local community and the county council who own the freehold

## Bramcote Neighbourhood Forum

### Response to Broxtowe Borough Council Part 2 Plan

Submitted by: [REDACTED]  
behalf of the Bramcote Neighbourhood Forum

Policy 3: Main Built up Area Site Allocations		3.8	x		x			x	It is not effective	The requirements do not encourage lifts from west of the site to terminate on the land and for pedestrian access to the school.	Provision of a dropping off area and school walking buses should be within the area proposed for housing	Yes	It is essential that the residents of Moor Lane, Thorseby and Arundel Drive do not unnecessarily suffer increased traffic - with associated poor air quality and danger of road traffic accident by parents being unable to drop off their children within walking distance of the schools
Policy 3: Main Built up Area Site Allocations		3.8	x		x			x	It is not effective	The removal of any vegetation from the Moor Lane cutting should be done in such a way that the present stability of the cutting is not compromised now and into the future.			
Policy 3: Main Built up Area Site Allocations		3.8	x		x			x	It is not effective	The caveat "if required" disreagrds the oft and strongly stated desire of local residents for the leisure centre to remain in Bramcote	"if required" should be removed	Yes	Bramcote is being asked to pay a heavy price for no tangible benefit and to face the loss of the leisure centre as well as its green belt alongside increased traffic congestion and air pollution is not compatible with sustainable development
Policy 3: Main Built up Area Site Allocations		3.9		x	x			x	It is not consistent with national policy	The loss of green belt is not recognised in the summary of the sustainability appraisal. The loss of green belt and the loss of the last remnant of Bramcote Moor cannot be trivialised as a very minor disbenefit.	The sustainability appraisal should be revised to accurately reflect the scale of disbenefit loss of green belt and Bramcote Moor would have	Yes	The impact of this flawed assessment of the green disbenefits has knock on consequences to other parts of Part 2.
Policy 3: Main Built up Area Site Allocations		Map 8		x	x			x	It is not consistent with national policy	The map fails to show the status of the Bramcote Moor land and also suggests a housing density of only 19 houses per hectare.	A greater density accompanied by a requirement to pay for a replacement leisure centre should be included.	Yes	The benefits to the local community of a higher housing density generating more funds to pay for a replacement leisure centre should be at the centre of land use decisions in this locality and would better reflect local residents views as well as represent a more sustainable form of development in the area.
Table 4		Table 4	x		x			x	It is not effective	The table shows that Bramcote will house over 440 of the 2729 houses in the entire main built up area of Broxtow. It is ridiculous that such a small area should be taking more than 16% of the housing need while the council allows land to be developed at low densities or not at all elsewhere.		Yes	The negative social, economic and environmental impact of the unfair burden of new housing in Bramcote is a combined effect of a series of failings by the council in formulating its plan.
	82	3b.9		x	x			x	It is not justified	The reference to a leisure hub should not be seen as a replacement for the leisure hub at Bramcote.	The text should be amended to make it clear that any leisure hub at the western extremity of the borough ought to be in addition to the one at Bramcote.	No	
Policy 8: Development in the Green Belt	8.5			x	x			x	It is not effective	We welcome the reporting of "strong support for the protection of the Green Belt" and lament the fact the council has ignored this and considerably reduced the green belt in Bramcote.		Yes	The council has consistently ignored local views expressed formally and at workshops and through the ballot box and is not delivering tangible benefits to the local community in Bramcote while at the same time asking it to bear an enormous and unfair share of the burden of new housing allocation.
	8.3			x	x			x	It is not justified	The Preferred Approach to Site Allocations erroneously assumed that all green belt sites served the same or no purpose in encouraging urban regeneration and this has skewed the council's assessment of the need to take land out of the green belt.		Yes	The flawed assessment of the five functions of the green belt has skewed the allocation of land in the green belt for housing contrary to the strong protection due to the green belt from the NPPF and the manifesto promises at the 2015 & 2017 general elections - both post dating the ACS
Policy 11: The Square, Beeston	11.2		x		x		x			We strongly support the mixed development in the Square, Beeston.	We would encourage the proposed cinema to be of flexible use by including moveable partitions and a stage.	No	
Policy 19: Pollution, Hazardous Substances and Ground Conditions	2			x	x		x			The required site investigation should be carried out by a competent person as required by the NPPF	The text should be amended to reflect the need for a competent person to carry out the site investigation	No	
Policy 20: Air Quality	119		x		x		x			We welcome the three measures to protect air quality.		No	
Policy 24: The health impacts of development	146		x		x		x			We welcome the requirement for a health impact assessment		No	
Policy 26: Travel Plans	153		x		x		x			We welcome the requirement for travel plans to be submitted		No	
Policy 27: Local Green Space	154		x		x		x			We support the designations as Local Green Space in Bramcote and ask the Council to consider the additional areas being designated as Local Green Space in the Bramcote Neighbourhood Plan	We are disappointed that none of the former Bramcote Hills Golf course is to be designated as local green space	No	
Policy 27: Local Green Space	27.2			x	x			x		The statement that the "The land at Bramcote and Stapleford (item 3 in the policy) comprises a former area of Green Belt between Moor Farm Inn Lane, Moor Lane, Derby Road, Ilkeston Road and Coventry Lane" is untrue. Such land would only be taken out of the green belt by the adoption of this part 2.	The text should be amended to accurately reflect the present and new status of the land and the role of Part 2 in any change	No	
Policy 28: Green Infrastructure Assets	157		x		x		x			We welcome the policies on green infrastructure.			
Policy 28: Green Infrastructure Assets	Map 62		x		x			x	It is not justified	The map erroneously shows (2.11) a continuous corridor through the former Bramcote Hills Golf - part of which is committed having been granted planning permission earlier in the year		Yes	This map is one several misleading maps which seek to underrepresent the enormous damage to the local environment Part 2 will have on Bramcote
Policy 30: Landscape	165		x		x		x			We note that this policy would be contradicted by housing development in land currently within the green belt and ask the council makes provision for suitable compensation to be provided in such cases			
Appendix 4	187		x		x			x	It is not justified	The Moor Lane cutting is omitted from the list.	The Moor Lane cutting should be added to the list	Yes	The considerable scientific and cultural significance of this cutting and its educational value should be recognised and included in Part 2.

# Details

Agent	
Please provide your client's name	
Your Details	
Title	
Name	
Organisation (If responding on behalf of an organisation)	Sport England
Address	
Telephone Number	
Email Address	
Would you like to be contacted regarding future planning policy consultations?	Yes
If you wish to comment on more than one issue you will need to submit a form for each representation.	

## Policy relates to

Please specify what your comment relates to					
Policy number	Page number	Policy text/ Paragraph number	Policies Map	Sustainability Appraisal	Other (e.g. omission, evidence document etc.)

Question 1: What does your comment relate to? Please specify exactly

## Question 2

Question 2: What is the issue with the Local Plan?	
Do you consider this paragraph or policy of the Local Plan to be:	
2.1 Legally compliant	Yes
2.2 Compliant with the duty to co-operate	Yes
2.3 Sound	No

## Question 3

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above	
If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	Yes
It is not effective	No
It is not positively prepared	No
It is not consistent with national policy	Yes

## Additional details

**Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details.**

Consistency with National Policy

Thank you for consulting Sport England on Part 2 of the Local Plan. The Local Plan as proposed is consistent with National Policy due to having a robust and up to date evidence base in regard to its Playing Pitch Strategy and Built Facility Strategy. Please note that it is important to keep these strategies up to date so they can remain robust. However, this is questionable as this evidence base does not appear to be considered and implemented in line with NPPF paragraph 74.

Justification of the Plan - Policy Specific Considerations

In relation to the locations identified in policies 3.1- 3.3, 3.5 & 6.1 for potential major growth, when decisions are made about these locations when they were brought forwards and their potential dwelling capacity. As the plan stands it is currently lacking justification or relevant consideration to whether any of the sites contain existing sports facilities such as playing fields which justify protection under policies 25, 27 and 28 of the plan and paragraph 74 of the NPPF.

Policy 3.1 – Site Allocation of Chetwynd Barracks – There is no mention of playing fields on site within the description. This site Contains 3 x full size football pitches, tennis courts, cricket wickets, bowls provision and a sports hall. The site is highlighted within the Playing Pitch Strategy as a football site. This site currently provides training capacity for Toton Tigers and the Playing Pitch Strategy highlights the need to convert the tennis courts to an Artificial Grass Pitch.

Policy 3.2 – Site Allocation of Toton Lane – The allocation includes a school site and playing pitches within the area. The development is marked for additional land for community facilities including education (the relocation of George Spencer Academy which is Mentioned in the playing pitch strategy as a football and cricket site) and the provision of a Leisure Centre. The proposals also include an allocation for 500homes.

Policy 3.3 - Site Allocation of Bramcote (East of Coventry Lane) – This site is referred to as being greenfield and as a former playing field associated with the adjacent school. The policy states that the site is currently unused. However, the most recent aerial view is from 2013 and shows marked pitches and is listed within the 2016 Playing Pitch Strategy. The site contains 7 x football pitches 3x mini football pitches and 3 cricket wickets. Playing Pitch Strategy states that site is needed and suggests proposals for cricket nets, Artificial Grass Pitch and a sports barn. Playing Pitch Strategy confirms that should the site be lost then equivalent or better provision is required as mitigation. The Site Allocation of Bramcote School and Leisure Centre is also included within this policy for redevelopment. The site includes 3 schools and borders existing playing fields the site contains a small sided Artificial Grass Pitch which is currently used by football, multiple courts and a sports hall which is also used by a local football club. Therefore, it will need to be insured that any development does not prejudice the use of these facilities.

Policy 3.5 - Site Allocation of Severn Trent – This site borders playing pitches therefore any development needs to ensure that there are no negative impacts to these pitches. The Playing Pitch Strategy also refers to the Nottingham casuals site which is stated as being overplayed and needing investment of £340,000 for changing room improvements and floodlighting.

Policy 6.1 – Walker street Eastwood – There is no mention of playing fields on site within the description. However, Google image from 2016 shows a cricket wicket and Google history shows site with 3 football pitches and a rounders pitch. This site does not appear to be covered by the Playing Pitch Strategy where there is a shown deficiency and no justification for pitches to be lost. The pitches should be protected from development.

Map 3 - this map includes the site allocation of Trent Vale sports club within the mixed-use commitments however the plan gives no further information on this allocation. Details of the allocation should be provided to ensure the facilities are retained as playing fields and upgraded to sufficient standards as detailed within the Playing Pitch Strategy.

Where these sites contain pitches and the evidence base highlights a deficiency in provision there is a conflict within the policies. Therefore, the extent of development in these locations should account for the need to maintain such facilities and site policies

	<p>should require the facilities to be protected or replaced. The loss of the playing fields without an agreed compensatory project being implemented would not accord with Sport England's playing fields policy or paragraph 74 of the NPPF.</p> <p>Policies 17 &amp; 24 - Sport England supports the idea of health impact to be a design consideration for new communities and would encourage the inclusion of a design policy which encourages developments to be designed to promote active lifestyles through sport and physical activity (through use of Sport England's and Public Health England's established Active Design guidance (<a href="http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/">http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/</a>))</p> <p>Policy 25 – Sport England seeks to ensure that a planned approach to the provision of facilities and opportunities for sport and recreation is taken by planning authorities. We are pleased that it is the council's intention to ensure policies provide adequate sport and recreation facilities as part of new developments. However, the level of provision should be determined locally and should be informed by the Playing Pitch Strategy and Green Infrastructure Strategy.</p> <p>Policy 27 - Sport England is encouraged that the emerging local plan looks to include policies to protect existing sport/leisure facilities where there is a need to do so to meet existing/future community needs which accord with paragraph 74 of the NPPF - policies that support the principle of enhancing existing sports/leisure facilities to meet community needs. However, it is thought that the plan should also include policies and to provide new sports/leisure facilities that are required to meet identified needs e.g. site allocations for new playing fields, requirements in major housing and mixed-use developments for sport/leisure provision, sports hubs allocations etc</p> <p>Policy 28 – Sport England welcomes the inclusion of policies which ensure adequate provision for new development (especially residential) to provide for the additional sport/leisure facility needs that they generate through CIL and/or planning obligations.</p> <p>If you would like any further information or advice please contact me.</p>
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## Question 4

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## Question 5

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If you wish to participate at the public examination, please outline why you consider this to be necessary	

**Broxtowe  
Borough  
COUNCIL**

Miss

Please provide your client's name	The British Land Company Plc
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Title	    
Name	
Organisation (if responding on behalf of the organisation)	WYG
Address	
Postcode	
Tel. Number	
E-mail address	

**If you wish to comment on several policies, paragraphs, or sites, please use a separate form for each representation.**

**Please tick here**

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Please help us save money and the environment by providing an e-mail address that correspondence can be sent to: [REDACTED]

**[www.broxtowe.gov.uk/part2localplan](http://www.broxtowe.gov.uk/part2localplan)**

**Please return completed forms to:**

**For more information:** Tel: 0115 917 3452, 3448, 3468 or 3015 E-mail: [policy@broxtowe.gov.uk](mailto:policy@broxtowe.gov.uk)

**Question 1: What does your comment relate to? Please specify exactly**

Document	Policy number	Page number	Policy text/ Paragraph number
<b>Part 2 Local Plan</b>	<b>Policy 1:</b> Flood Risk		
	<b>Policy 2:</b> Site Allocations		
	<b>Policy 3:</b> Main Built up Area Site Allocations		
	<b>Policy 4:</b> Awsworth Site Allocation		
	<b>Policy 5:</b> Brinsley Site Allocation		
	<b>Policy 6:</b> Eastwood Site Allocation		
	<b>Policy 7:</b> Kimberley Site Allocations		
	<b>Policy 8:</b> Development in the Green Belt		
	<b>Policy 9:</b> Retention of good quality existing employment sites		
	<b>Policy 10:</b> Town Centre and District Centre Uses		
	<b>Policy 11:</b> The Square, Beeston		
	<b>Policy 12:</b> Edge-of-Centre A1 Retail in Eastwood		
	<b>Policy 13:</b> Proposals for main town centre uses in edge-of-centre and out-of-centre locations		
	<b>Policy 14:</b> Centre of Neighbourhood Importance (Chilwell Road / High Road)		
	<b>Policy 15:</b> Housing size, mix and choice		
	<b>Policy 16:</b> Gypsies and Travellers		
	<b>Policy 17:</b> Place-making, design and amenity		
	<b>Policy 18:</b> Shopfronts, signage and security measures		
	<b>Policy 19:</b> Pollution, Hazardous Substances and Ground Conditions		
	<b>Policy 20:</b> Air Quality		
	<b>Policy 21:</b> Unstable land		
	<b>Policy 22:</b> Minerals		
	<b>Policy 23:</b> Proposals affecting designated and non-designated heritage assets		
	<b>Policy 24:</b> The health impacts of development		✓
	<b>Policy 25:</b> Culture, Tourism and Sport		
	<b>Policy 26:</b> Travel Plans		
	<b>Policy 27:</b> Local Green Space		
	<b>Policy 28:</b> Green Infrastructure Assets		
	<b>Policy 29:</b> Cemetery Extensions		
	<b>Policy 30:</b> Landscape		
	<b>Policy 31:</b> Biodiversity Assets		
	<b>Policy 32:</b> Developer Contributions		
<b>Policies Map</b>			
<b>Sustainability Appraisal</b>			
<b>Other (e.g. omission, evidence document etc.)</b>			

## Question 2: What is the issue with the Local Plan?

Do you consider this paragraph or policy of the Local Plan to be: <i>(please refer to the guidance note at for an explanation of these terms)</i>		Yes	No
2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		X

**Question 3: Why is the Local Plan unsound?** Please only answer this question if you answered 'No' to 2.3 above

If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	✓
It is not effective	✓
It is not positively prepared	
It is not consistent with national policy	✓

## Your comments

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co operate. Alternatively, if you wish to support any of these aspects please provide details. Please be as precise as possible. Continue on an extra sheet if necessary.

### Policy 24 (health impacts)

Policy 24 relates to Health Impacts of development and indicates; "1. A Health Impact Assessment Checklist... will be required for;... b) non-residential developments of 5,000 square metres or more; and c) other developments which are likely to have a significant impact on health and well-being...". It continues to state: "Where significant adverse impact is identified, measures to substantially mitigate the impact will be required".

BL request further clarity is provided in respect of the definition of 'significant adverse impact' in respect of health within the reasoned justification to ensure the requirement isn't placed on developments unnecessarily. Indeed, it is not clear how criteria (c) would be triggered (i.e. how a "significant impact on health" could be established without first having carried of a Health Impact Assessment). If it is possible to establish this, then there is surely no need for criteria (b) as non residential development of 5,000 sqm without significant health impacts cannot justify a Health Impact Assessment. Furthermore, the plan should be clear on the type of mitigation requirements likely to be sought.

## Question 4: Modifications sought

Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. Continue on an extra sheet if necessary.

The reasoned justification to this policy must provide a definition of 'significant adverse impact' in respect of health and make clear the type of mitigation requirements likely to be sought. Remove criteria (b) or (c) from part 1 of Policy 24.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

## Question 5: Public Examination Attendance

**If your representation is seeking a modification, do you consider it necessary to participate at the public examination?**

Yes, I wish to participate at the public examination

X

No, I do not wish to participate at the public examination

**If you wish to participate at the public examination, please outline why you consider this to be necessary**

It is considered the retail and related matters in respect of Giltbrook Retail Park requires our attendance at the Part 2 Local Plan Examination in person.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

## **Guidance Note:**

Please complete a **separate form** for **each representation** you wish to make.

### ***'Legally Compliant':***

If your response relates to **the way in which the plan has been prepared**, then this is likely to relate to whether it or not it is '**Legally Compliant**'. To be 'Legally Compliant', the Local Plan has to be prepared in accordance within the 'Duty to Cooperate' and legal and procedural requirements. These are set out by legislation in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). If you think that we have not met the legal requirement in the preparation of the Local Plan, please use the response form to tell us what we have not done or what we have done incorrectly.

### ***'Compliant with the Duty to Co-operate':***

If your response relates to **the way in which we have worked with other authorities** then this is likely to relate to the '**Duty to Co-operate**'.

The 'Duty to Co-operate' places a legal duty on Local Planning Authorities, County Councils and certain public bodies to engage constructively, actively, and on an on-going basis, to maximise the effectiveness of Local Plan preparation in the context of strategic cross-boundary matters. The 'Duty to Co-operate' is not a duty to agree. However, Local Planning Authorities should make every effort to secure the necessary co-operation on strategic cross-boundary matters before they submit their Local Plan for examination.

### ***'Sound'***

If your response is about the **content** of the Local Plan and the strategy it adopts, then it is likely to relate to whether or not the Local Plan is '**Sound**'.

To meet the 'Test of Soundness', the independent Planning Inspector is required to consider whether or not our Local Plan is '**justified**', '**effective**', has been '**positively prepared**', and is '**consistent with national policy**'. You may wish to consider the following before making a representation on the 'Soundness' of our Local Plan:

- '**Justified**': This means that the Local Plan is based upon a robust and credible evidence base. If you think that the evidence doesn't support the choice made in our Local Plan, or there are realistic alternatives, then your comments may relate to whether or not it is 'justified'.
- '**Effective**': This means that the Local Plan will deliver what it sets out to. If you think that what we are proposing in the Local Plan is not deliverable, then your comments may relate to whether or not our Local Plan is 'effective'.
- '**Positively Prepared**': This means the Local Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- '**Consistent with National Policy**': Do you consider that our Local Plan accords with the National Planning Policy Framework (NPPF) and other policies, or includes clear and convincing reasons for doing something different?

For further guidance or assistance, please contact the **Planning Policy Team** on **0115 917 3452** or by emailing **[policy@broxtowe.gov.uk](mailto:policy@broxtowe.gov.uk)**.

## Response to the Broxtowe Borough Council Part 2 Local Plan 2017-2028

### Response to Policy 24 point 2

#### 1. Introduction

- 1.1 We have considered the above policy and its supporting text with regard to the principles set out within the Framework. Local Plans should “plan” positively for development; be justified; effective; and consistent with the Framework.
- 1.2 We consider that limiting the proximity to local schools of hot food takeaways would be unsound. By way of overview, the Framework provides no justification at all for using the development control system to seek to influence people's dietary choices.
- 1.3 There is no adequate evidence to justify the underlying assumption, that locating any A5 use within certain distances of schools causes adverse health consequences, which would in turn have negative land use planning consequences.

#### 2. Such an approach is not positive, justified, effective or consistent with the Framework.

- 2.1 Restricting the location of new A5 proposals within the borough, is not a positive approach to planning. The Framework “foreword” sustainable development is about positive growth, making economic; environmental; and social progress, for this and future generations.
- 2.2 The suggested restrictions, take an ambiguous view of A5 uses in relation to the schools. It would apply an over-generic approach to restrict development with little sound planning reasoning or planning justification. This is contrary to Para 14 of the Framework which advises authorities to positively seek opportunities to meet development needs of their area.
- 2.3 Thus it is inconsistent with Para 19 and 21 of the Framework. Para 19 states:  
*Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.*
- 2.4 Para 21 states:  
*Investment in business should not be over-burdened by the combined requirements of planning policy expectations.*
- 2.5 There is a lack of evidence to demonstrate the link between fast food, school proximity and obesity. We confirm this at **Appendix A**.
- 2.6 A systematic review of the existing evidence base by Oxford University (December 2013), funded by the NHS and the British Heart Foundation ‘*did not find strong evidence at this time to justify policies related to regulating the food environments around schools.*’ It instead highlighted the need to ‘*develop a higher quality evidence base*’.<sup>1</sup>

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<sup>1</sup> J Williams, P Scarborough, A Matthews, G Cowburn, C Foster, N Roberts and M Rayner, Nuffield Department of Population Health, University of Oxford, page 13, 11<sup>th</sup> December 2013. *A systematic review of the influence of the retail food environment around schools on obesity-related outcomes.*

- 2.7 This lack of evidence has been confirmed in a number of planning decisions. For example, in South Ribble the Planning Inspectorate raised concerns about a similar 400m school proximity restriction on fast food, stating *'the evidence base does not adequately justify the need for such a policy'*, and due to the lack of information, it is impossible to *'assess their likely impact on the town, district or local centres'*.<sup>2</sup>
- 2.8 The evidence provided at **Appendix B** confirms that 70% of purchases by students in the school fringe are purchased in non A5 shops.<sup>3</sup>
- 2.9 No consideration has been given to other A class uses and their contribution or impact on daily diet or wellbeing. The suggest approach is therefore not holistic and will not achieve the principle aim.
- 2.10 There is lack of evidence to demonstrate that purchases in fast food outlets are any more or less healthy than purchases in other A Class premises. Evidence confirming this is set out in **Appendix C**.
- 2.11 Research by Peter Dolton states that *"At least 50% of the days in a year kids don't go to school if we count weekends and holidays and absence. They are only there for 6 hours and all but 1 are lessons. So only around 2-3% of the time can [children] get fast food at school."*<sup>4</sup> This clarifies that a blanket restriction on opening hours is unjustified.
- 2.12 Similarly, research by Brighton & Hove concluded that *'the greatest influence over whether students choose to access unhealthy food is the policy of the individual schools regarding allowing students to leave school premises during the day'*.<sup>5</sup>
- 2.13 Only limited purchases of food are made at A5 uses on journeys to and from school. Further details are set out in **Appendix D**.
- 2.14 Given the limited access that children have to fast food during the school day, a generic restriction is disproportionate; is not justified; and would not be effective.
- 2.15 Such an approach would have a disproportionate effect on land use planning and the economy when taking into account the limited purchases made by school children who may only have the potential to visit A5 establishments at the end of the school day, and only during term time.
- 2.16 The Framework cannot be interpreted to provide generic restrictions on a particular use class. Moreover, the evidence does not support such restrictions. The need for evidence is emphasised in para 158 of the Framework which states that each local plan should be based

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<sup>2</sup> Letter to South Ribble Borough Council, 29<sup>th</sup> April 2013, from Susan Heywood, Senior Housing & Planning Inspector, The Planning Inspectorate

<sup>3</sup> The School Fringe: *What Pupils Buy and Eat From Shops Surrounding Secondary Schools*, July 2008, Sarah Sinclair and Professor J T Winkler, Nutrition Policy Unit of London Metropolitan University

<sup>4</sup> Peter Dolton, Royal Holloway College, University of London & Centre for Economic Performance, London School of Economics, *Childhood Obesity in the UK: Is Fast Food a Factor?*  
[http://www.made.org.uk/images/uploads/2\\_Prof\\_P\\_Dolton\\_presentation.ppt](http://www.made.org.uk/images/uploads/2_Prof_P_Dolton_presentation.ppt)

<sup>5</sup> Brighton & Hove City Council & NHS Sussex, *Hot-food takeaways near schools; An impact study on takeaways near secondary schools in Brighton and Hove*, page 30, September 2011

on adequate, up-to-date and relevant evidence. Compliance with the soundness test is still required.

- 2.17 The proposal does not accord with the “golden thread” running through the Framework which seeks to build a strong competitive economy. Such a policy could potentially stifle economic development and is not consistent with the Framework.

### **3. Soundness - summary**

- 3.1 We consider that restricting the proximity of hot food takeaways to local schools would be unsound and fails to meet the four tests of the Framework. It is not a positively approach to planning; justified; effective; or consistent with national planning policy. Such a policy should therefore not be taken forward to the next stage of the plan making process.

- 3.2 Many restaurant operators have made major steps to expand the range of healthy options and work with the communities within which they are / will be part of.

### **4. McDonald’s has made major steps in recent years to expand the range of healthy offerings**

- 4.1 As a responsible business, McDonald’s recognises it has a role to play to support its staff, customers, and the communities in which it operates to live healthier lifestyles. For this reason, McDonald’s has invested significantly to evolve its menu over the last 10 years – both to extend the range of choice, and to reformulate our products. For example, McDonald’s has:

- Added porridge, salads, grilled chicken wraps, carrot sticks, fruit bags, orange juice, mineral water, and organic milk to its menu
- Completely removed hydrogenated trans-fats from its menu
- Reduced salt in our Chicken McNuggets by 36%, and our fries by a quarter since 2003
- Reduced fat in its milkshakes by 34% per serving since 2010
- Reduced fat in its deli rolls by 42% since 2011

- 4.2 McDonald’s has also led the way displaying nutritional information to help its customers make informed choices. Since 2011, McDonald’s has provided calorie information on every one of its 1,200+ menu boards in restaurants across the UK.

- 4.3 This is in addition to the nutritional information that is already available on its website, on its tray liners, on its packaging, and via McDonald’s mobile phone app. In 2012 alone, McDonald’s received 2.2 million visits to its nutrition web page.

- 4.4 Furthermore, McDonald’s is committed to responsible advertising, and advertise to children only food items that are not classified by the Government’s nutrient scoring criteria as High in Fat, Salt or Sugar “non-HFSS”. All of McDonald’s advertising to children features at least one portion of fruit or vegetables, and a no added sugar beverage such as milk.

- 4.5 As a significant customer of British farming, McDonald’s buys quality ingredients from 17,500 UK and Irish farmers. It now spends more than £390 million every year on British and Irish produce, compared to £269 million in 2009.

- 4.6 All of McDonald’s burgers are made with 100% British and Irish beef. We use whole cuts of forequarter and flank, with nothing added or taken away in the process.

- 4.7 In addition, McDonald’s only uses 100% British RSPCA Freedom Food Pork across its entire menu. As a result, all pork suppliers are required to meet strict animal welfare standards.

4.8 McDonald's was also one of the first retailers to switch to using free range eggs – which it did back in 1998. Free range eggs are now used in its entire menu – including its sauces, muffins and the coating on chicken nuggets. Every year McDonald's use over 100 million free range eggs, sourced from more than 200 UK producers, and for its work in this area they have been awarded 'Food Business of the Year' by the British Free Range Egg Producers Association.

4.9 The strength of McDonald's supply chain – which was clear of any horsemeat – has also been confirmed by Professor Chris Elliott, who said in light of the horsemeat scandal: *"McDonald's invited us to look at farms and abattoirs – it was a very simple supply chain. The other thing I was very impressed about was the length of contract McDonald's had with its suppliers."*<sup>6</sup>

## **5. McDonald's also contributes to the community**

5.1 As the Community Partner of the Football Association, McDonald's has helped to train and recruit more than 25,000 coaches. These coaches in turn have provided more than 2 million hours of free quality coaching, to one million young players.

5.2 Over 1,000 McDonald's restaurants across the UK are 'twinned' with a local team to provide free kit, equipment, advice and expertise.

5.3 Each of McDonald's restaurants also conduct a minimum of three litter patrols on a daily basis, and conduct larger Love Where You Live 'clean up' events. McDonald's is also the primary sponsor of the Mayor of London's Capital Clean Up campaign, to tackle litter across London.

5.4 Last year, McDonald's restaurants in Greater London organised over 50 community clean-up events, with over 1,400 volunteers taking part.

## **6. McDonald's is a major employer of young people**

6.1 McDonald's is a major employer of young people under the age of 25, and for many it provides a first step on the career ladder. McDonald's offers all staff the opportunity to gain qualifications which include Adult Certificates in English and Maths, a Level 2 Apprenticeship, and a Foundation Degree in Managing Business Operations.

6.2 McDonald's invest £43 million annually in staff training and development.

## **7. There is a lack of evidence to demonstrate whether fast food is located by schools, or whether schools are located by town centres**

7.1 When McDonald's looks at the economic viability of a new site, it does not factor in predicted sales from school children or proximity to schools.

7.2 Research by Christoph Buck has identified a similar approach with other retailers. His research suggests that *'food retailers are mainly located near major roads and in inner cities.'*<sup>7</sup>

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<sup>6</sup> Evidence at Environment, Food & Rural Affairs Select Committee Inquiry, January 2014

<sup>7</sup> Buck et al. International Journal of Behavioural Nutrition & Physical Activity, Page 7, 2013 - <http://www.ijbnpa.org/content/pdf/1479-5868-10-65.pdf>

- 7.3 Indeed, *'food retailers are not clustered around schools for up to 1.5 km'*<sup>8</sup> Correlations between schools and fast food density are therefore due to the proximity of both to town centres, where there is a broad mix of retail on offer..

## **8. Conclusion**

- 8.1 It has been highlighted above that there is no appropriate reason to restrict A5 uses from local schools.
- 8.2 It is unsound to introduce such a widespread land use policy to protect the amenity of such uses, which could be dealt with on a case by case basis via conditions.
- 8.3 The proposed approach is in direct conflict with the Framework. The policy attempts to introduce a widespread land use restriction on a specific use class without providing a single map to outline the specific limitations it would have. Without a map it is impossible to indicate the extent of the policy's implications on the borough.

## **Appendix A – There is a lack of evidence to demonstrate the link between fast food, school proximity, and obesity.**

1. This has been confirmed by Public Health England and the Local Government Association (November 2013). Their paper, *Healthy People, Healthy Places* states there is *'an unavoidable lack of evidence that can demonstrate a causal link'* between fast food, school proximity and obesity.<sup>9</sup>

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<sup>8</sup> Christoph Buck et al. Clustering of unhealthy food around German schools and its influence on dietary behaviour in school children: a pilot study, page 6, 2013

<sup>9</sup> Public Health England & LGA, *Healthy people, healthy places briefing: Obesity and the environment: regulating the growth of fast food outlets*, page 5, November 2013

2. The same paper states there are only *'theoretical arguments for the value of restricting the growth in fast food outlets'*.
3. Oxford University's Department of Population Health conducted *'A systematic review of the influence of the retail food environment around schools on obesity-related outcomes'* (December 2013).<sup>10</sup> This was funded by NHS Berkshire and the British Heart Foundation, and is a comprehensive analysis of the existing evidence base.
4. The research *'did not find strong evidence at this time to justify policies related to regulating the food environments around schools'*. It instead highlighted the need to develop a *'higher quality evidence base'* which for instance:
  - Uses a consistent way to classify a food outlet, in order to compare results from different studies
  - Looks at the age range of children, and their interaction with the environment. Age can influence travel time, distance travelled, the availability of pocket change, and other factors
  - Understands the need to assess a child's mode of travel to and from school in decisions about appropriate buffer distances
  - Recognises that food environments vary between countries – most associations between food environment and obesity came from North America
5. The review did find some limited evidence for an effect of the school environment on body weight, but it added *'these results should be interpreted cautiously'*. Of 72 associations, only 19 showed a statistically significant positive relationship between body weight and exposure to food outlets. The review also identified associations with convenience stores as well as fast food outlets.

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<sup>10</sup> J Williams, P Scarborough, A Matthews, G Cowburn, C Foster, N Roberts and M Rayner, Nuffield Department of Population Health, University of Oxford, page 13, 11<sup>th</sup> December 2013. *A systematic review of the influence of the retail food environment around schools on obesity-related outcomes*.

6. A number of studies have reached similar conclusions. These include, but are not limited to:
- David Harris – ‘no correlation between students’ being overweight risk and the presence of stores with unhealthful food choices near their schools.’<sup>11</sup>
  - Philip Howard – Research ‘failed to find a consistent association between school overweight rates and nearby fast food restaurants’.<sup>12</sup> If anything, this research found ‘Convenience stores demonstrated stronger correlations with school overweight rates’.
  - An and Sturm – ‘no evidence to support the hypotheses that... less exposure to fast-food restaurants or convenience stores within walking distance improve diet quality or reduce BMI among Californian youth.’<sup>13</sup>
  - Fleischhacker – This systematic review of fast food access studies concluded 53% did not find any significant associations between the fast food environment and obesity. ‘In children, only one of five studies found an association between BMI and the fast food environment.’<sup>14</sup>
7. This lack of evidence has also been confirmed in a number of planning decisions.
- For example, in South Ribble the Planning Inspectorate raised concerns about a similar 400m school proximity restriction on fast food, stating ‘the evidence base does not adequately justify the need for such a policy’, and due to the lack of information, it is impossible to ‘assess their likely impact on the town, district or local centres’.<sup>15</sup>
  - Further, in Newham the Planning Inspectorate called for ‘deletion of an exclusion zone for A5 use class within 400m of secondary schools’ as ‘the policy is not supported by the evidence at present’.<sup>16</sup>

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<sup>11</sup> David Harris et al. Location of Food Stores Near Schools Does Not Predict the Weight Status of Maine High School Students, page 276, 2011 - [http://ac.els-cdn.com/S1499404610004574/1-s2.0-S1499404610004574-main.pdf?\\_tid=720c269e-c3d7-11e3-874e-00000aabb0f01&acdnat=1397481765\\_c271ecb04c8e2d5970dbc420d656f128](http://ac.els-cdn.com/S1499404610004574/1-s2.0-S1499404610004574-main.pdf?_tid=720c269e-c3d7-11e3-874e-00000aabb0f01&acdnat=1397481765_c271ecb04c8e2d5970dbc420d656f128)

<sup>12</sup> Philip Howard et al. Proximity of food retailers to schools and rates of ninth grade students: an ecological study in California, page 6, 2011

<sup>13</sup> Ruopeng An, & Roland Sturm, School and Residential Neighborhood Food Environment and Dietary Intake among California Children and Adolescents, page 5, February 2012 - <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3298889/pdf/nihms358700.pdf>

<sup>14</sup> S Fleischhacker et al. A systematic review of fast food access studies, page 8, 17<sup>th</sup> December 2009

<sup>15</sup> Letter to South Ribble Borough Council, 29<sup>th</sup> April 2013, from Susan Heywood, Senior Housing & Planning Inspector, The Planning Inspectorate

<sup>16</sup> Report to London Borough of Newham Council, 13<sup>th</sup> January 2012, Geoff Salter BA MRTPI, The Planning Inspectorate

## Appendix B – Food in the school fringe tends to be purchased in non-A5 properties.

1. Research by Professor Jack Winkler (London Metropolitan University) into the 'school fringe' – found just 3/10 purchases by students in a 400m school fringe were made in A5 properties.<sup>17</sup>
2. 70% of purchases in the school fringe were made in non-fast food outlets, and the same research concluded *'the most popular shop near Urban was the supermarket, with more visits than all takeaways put together'*.
3. Professor Winkler's findings are not an isolated case. A report by Public Health England and the LGA states that fast food school proximity restrictions do *'not address sweets and other high-calorie food that children can buy in shops near schools.'*<sup>18</sup>
4. Research by Brighton and Hove found that *'Newsagents were the most popular premises [in the school fringe], with more pupils visiting newsagents than any A5 premises'*.<sup>19</sup>
5. Likewise, research for the Food Standards Agency on purchasing habits in Scotland found that *'Supermarkets were the place that children reported they most frequently bought food or drinks from at lunchtime'*.<sup>20</sup>
6. Indeed, there are several more researchers who have found no evidence to support the hypothesis that less exposure to fast food, or better access to supermarkets are related to higher diet quality or lower BMI in children.<sup>21 22 23</sup>

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<sup>17</sup> The School Fringe: *What Pupils Buy and Eat From Shops Surrounding Secondary Schools*, July 2008, Sarah Sinclair and Professor J T Winkler, Nutrition Policy Unit of London Metropolitan University

<sup>18</sup> Public Health England & LGA, *Healthy people, healthy places briefing: Obesity and the environment: regulating the growth of fast food outlets*, page 5, November 2013

<sup>19</sup> Brighton & Hove City Council & NHS Sussex, *Hot-food takeaways near schools; An impact study on takeaways near secondary schools in Brighton and Hove*, page 28, September 2011

<sup>20</sup> Jennie Macdiarmid et al. Food Standards Agency. Survey of Diet Among Children in Scotland (2010) - [http://www.esds.ac.uk/doc/7200/mrdoc/pdf/7200\\_final\\_report\\_part\\_2.pdf](http://www.esds.ac.uk/doc/7200/mrdoc/pdf/7200_final_report_part_2.pdf)

<sup>21</sup> Forsyth, A., et al., *Do adolescents who live or go to school near fast-food restaurants eat more frequently from fast-food restaurants?* Health and Place,, 2012. 18(6): p. 1261-9.

<sup>22</sup> An, R. and R. Sturm, *School and residential neighborhood food environment and diet among California youth*. American Journal of Preventative Medicine, 2012. 42(2): p. 129-35.

<sup>23</sup> Timperio, A.F., et al., *Children's takeaway and fast-food intakes: associations with the neighbourhood food environment*. Public Health Nutrition,, 2009. 12(10): p. 1960-4.

**Appendix C – There is a lack of evidence to demonstrate that purchases in fast food outlets are any more or less healthy than purchases in other A class premises.**

1. A key finding of Brighton & Hove's research was that *'newsagents and supermarkets [are] equally as influential on the unhealthy choices of pupils.'*<sup>24</sup>
2. Hot food take-aways are identified as a particular concern, but there is a lack of evidence to inform why A5 units have been identified as a concern over other units, namely A1 and A3 units.
3. Research by the Children's Food Trust for instance found that *'Once outside school... students faced an environment designed to encourage less healthy food purchasing, mostly from corner shops and supermarkets near to school, outlets which successfully promoted less healthy foods to this population.'*<sup>25</sup>
4. The report added *'this study observed no visits to takeaway outlets'* – although it did qualify this saying a *'larger, more representative study'* was required to determine whether proposals to restrict A5 outlets are effective in promoting healthier eating habits in teenagers.
5. Similarly, research elsewhere found *'traditional fast food outlets offered a greater variety of healthier breakfast entrees, healthier lunch/dinner entrees, and healthier lunch/dinner side dishes'* than convenience stores, grocery stores, and supermarkets.<sup>26</sup>
6. We therefore assert that sole inclusion of A5 premises is irrational, will not be effective, and is therefore not justified.

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<sup>24</sup> Brighton & Hove City Council & NHS Sussex, *Hot-food takeaways near schools; An impact study on takeaways near secondary schools in Brighton and Hove*, page 28, September 2011

<sup>25</sup> Children's Food Trust, Page 9, November 2011 - [http://www.childrensfoodtrust.org.uk/assets/research-reports/journey\\_to\\_school\\_final\\_findings.pdf](http://www.childrensfoodtrust.org.uk/assets/research-reports/journey_to_school_final_findings.pdf)

<sup>26</sup> Jennifer S Creel et al. Availability of healthier options in traditional and non-traditional rural fast-food outlets, page 4, 28 November 2008 - <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2614433/pdf/1471-2458-8-395.pdf>

## Appendix D – Only a limited number of journeys to and from school involve a purchase at a food outlet.

1. This has been confirmed in research by the Children's Food Trust, which found that only 8% of all journeys to and from school included a purchasing visit to a food outlet.<sup>27</sup>

Table 3. Total number of journeys including a food outlet visit				
		Number of journeys to school	Number of journeys from school	Total number of journeys
	<i>n</i>	86	87	173
Journeys including a visit to a food outlet		11	6	17
Journeys including a purchase from a food outlet		8	6	14

2. Of the food purchases made on school journeys, confectionary was the most popular item sold – which McDonald's does not offer on its menu.
3. Likewise, research by Ashelsha Datar concluded that children *'may not purchase significant amounts of junk food in school'* – partly due to *'fewer discretionary resources to purchase them'*.<sup>28</sup>
4. Indeed, even where purchases were made, *'children may not change their overall consumption of junk food because junk food purchased in school simply substitutes for junk food brought from home.'*
5. Similarly, research by Fleischhacker highlighted the need for future school-based studies to *'gather information on whether or not the students attending the studied schools actually eat at the restaurants near their schools.'*<sup>29</sup>
6. This was also highlighted in the systematic review by Oxford University, which states *'future work should also incorporate a child's usual mode of travel to and from school into decisions about appropriate buffer distances.'* The review added that age should also be taken into consideration, as this can impact on travel time and the availability of pocket change.<sup>30</sup>

<sup>27</sup> Children's Food Trust – November 2011, page 1 [http://www.childrensfoodtrust.org.uk/assets/research-reports/journey\\_to\\_school\\_final\\_findings.pdf](http://www.childrensfoodtrust.org.uk/assets/research-reports/journey_to_school_final_findings.pdf)

<sup>28</sup> Ashelsha Datar & Nancy Nicosia, Junk Food in Schools and Childhood Obesity, page 12, May 2013

<sup>29</sup> S Fleischhacker et al. A systematic review of fast food access studies, page 9, 17<sup>th</sup> December 2009

<sup>30</sup> J Williams, P Scarborough, A Matthews, G Cowburn, C Foster, N Roberts and M Rayner, Nuffield Department of Population Health, University of Oxford, page 13-14, 11<sup>th</sup> December 2013. *A systematic review of the influence of the retail food environment around schools on obesity-related outcomes.*