

## **ACCESSIBLE RETAIL**

### **WRITTEN STATEMENT FOR M91**

#### **Introduction**

Accessible Retail is competent on the issues raised by the Panel as, though we represent out of town, our members are major retailers, developers and owners/investors with interests in both out-of-town and town centres. Fast food businesses (both A5 and A3 establishments providing hot take-away food) are included in our membership in both trading formats and we call on detailed knowledge and experience.

#### **Panel Question**

M91. Are policies E9C and E9D relating to proposals containing hot food takeaways justified and consistent with national policy and guidance about 21 The Mayor responded to the Panel's Preliminary Question PQ13 relating to this matter on Friday 7 September 2018. London Plan EIP 2018-2019: Panel Note 6 Annex 1 Matters (Nov 2018) healthy communities and limiting the proliferation of certain use classes in identified areas<sup>22</sup>.

In particular: a) Is the development of hot food takeaways and associated planning conditions a matter of strategic importance to London, or a detailed matter that would be more appropriately dealt with through local plans or neighbourhood plans? b) What evidence is there indicating high levels of obesity, deprivation and general poor health in London? c) What evidence is there of over-concentration and clustering of hot food takeaways in London? d) Would restricting development of hot food takeaways within 400 metres walking distance from the entrances and exits of existing and proposed primary and secondary schools positively support the delivery of policy GG3 "creating a healthy city"

#### **Written Statement**

We support policies to promote healthier living and tackling obesity.

(a) the issue is more appropriately dealt with at the level of local and neighbourhood plans where greater account can be taken of local circumstances and use made of planning conditions and contributions to address any issues;

(b) see answer to (d) below;

(c) there is none of which we are aware;

(d) the proposal to restrict hot food take-aways within 440 metres of proposed primary and secondary schools is unsound for the following reasons.

1. Contrary to the requirement in the NPPF, no adequate, up to date and relevant evidence is produced to support the contention that that it would be successful.

Although evidence is produced suggesting a link between obesity and fast food, no evidence is produced which links fast food, school proximity and obesity, nor supports the contention that, even if there was, a 400 metre restriction would have any meaningful impact.

To be meaningful, it would be necessary to demonstrate that any impact was attributable to the operation of the 400 metre policy and not to other influences. This means the assessment process and how success was judged must be robust.

In fact, the evidence suggests there would be little meaningful impact due to:

- (a) 70% of purchases by students in the school fringe are purchased in non-A5 shops (research commissioned by McDonalds);
- (b) restricting A5 uses in the way suggested would likely result in food purchasing simply transferring to other A1 and A3 uses located within 400 metres selling food high in calories, fat, salt and sugar.

2. Rather, independent evidence which does not support the likelihood of achieving meaningful success has not been taken into account. In particular, the results of studies by Public Health England and Oxford University and the results of the schemes in South Ribble, Brighton & Hove and Croydon councils are ignored.

3. No other options were considered.

4. The policy so prescriptive, it will prevent LPAs from pursuing other options.

5. It would amount to a generic blanket exclusion on one specific element of the A5 use class. This conflicts with National Planning Practice Guidance which emphasises that LPAs should look at the specifics of a particular proposal and not impose blanket restrictions.

6. It would be discriminatory and inconsistent, as outlets in the A1 and A3 categories also sell food high in calories, fat, salt and sugar.

7. It would damage London's economy through reducing job opportunities offered by the A5 part of the retail/food industry. This loss would be particularly damaging as jobs in this sector, unlike many others in London's economy, offer part time work (important to women with families), reachable incomes, and training to develop enhanced skills from comparatively unskilled entry levels.

In summary, the achieving of a reduction in obesity in students through the introduction of this policy is not proved and even if it was, would be unlikely to be meaningful. However, what would result if it is implemented would be a loss of important employment opportunities and the introduction of discrimination. The first of these results in a balance of priorities which is not in the interests of Londoners and the second is unfair and conflicts with both the National Planning Policy Framework and National Planning Policy Guidance.

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One significant issue is not addressed. Competition from online trading has resulted in a permanent shift in the retail landscape. For many multiple retailers, town centres (apart from the strongest) are now unsustainable locations and they are moving out of town where the efficient space, lower costs, better accessibility and adequate parking needed to survive online competition can be obtained. Jobs provided by these retailers are moving with them.

Given this, three important further questions are:

1. ‘Is the policy to discourage out of town retail parks SD7A(2) realistic given the structural change in retailing?’
2. Given policy SD7B (5) identifies retail parks as a source for housing and/or mixed use, ‘What will be the impact of converting retail parks to mixed use or housing on employment provided by the retail industry in London?’
3. Given their adverse characteristics, is it desirable to locate bulky goods traders in town centres?’

Accessible Retail is pleased to participate. We are competent on the issues raised by the Panel as, though we represent out of town, our members are major retailers, developers and owners/investors with interests in both out-of-town and town centres. Their views will be formulated with this in mind.