



<b>ORGANISATION</b>	<b>LONDON FIRST</b>
<b>ID</b>	<b>1588</b>
<b>MATTER</b>	<b>M91 HOT FOOD TAKEAWAYS</b>

**M91. Are policies E9C and E9D relating to proposals containing hot food takeaways justified and consistent with national policy and guidance about healthy communities and limiting the proliferation of certain use classes in identified areas. 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?**

1. London First agrees that childhood obesity is a serious issue that must be addressed. Whilst the issue itself is very clearly of strategic importance, it is submitted that a strategic planning policy in the form of E9 is neither an appropriate nor an effective means with which to tackle the problem. Furthermore, there is no national policy support for this approach.
2. Obesity is a deep-rooted societal and public health issue. London First understands the political imperative to introduce a flagship policy to attempt to address it within the powers that the mayor possesses; however, London First disagrees with the approach currently set out in E9 and considers that this has not been properly thought through. Childhood obesity would be better tackled through a cross-service approach, including improved education in schools and service provision through the NHS.
3. Introducing a blanket ban on all A5 businesses within 400 metres of a school is an overly simplistic approach that will likely result in two unintended consequences. Firstly, it will lead to increased clustering of A5 uses in the areas that fall outside of the exclusion zones. This would be in conflict with the aims of the draft Plan, which seek to promote a diverse range of uses to maintain vitality and prevent over-concentration of certain uses (see Policy SD6 and paragraph 6.9.5, for example). Furthermore, focusing on a ban of A5 uses will not remove the prolific sources of unhealthy food that will still be widely available in the form of convenience stores, bakeries, and newsagents. In fact, a large proportion of the shops selling unhealthy food and drinks operate within

the A1 use class; therefore, targeting the A5 use class will not prevent children gaining easy access to unhealthy options. A second unintended consequence could therefore be that children turn to more sugar-based snacks.

4. The blanket ban on A5 uses assumes that all A5 businesses operate on a similar basis, but this is not the case. Some are more responsible than others, with a number of hot food takeaway businesses offering healthy options on their menus and a growing number of health-focused operators, such as Leon and Itsu. Preventing such businesses from opening new premises halts both potential investment and new job opportunities in communities at a time when many town centres and high streets are showing signs of decline.
5. For these reasons, London First considers that the current approach in the draft Plan is an overly simplistic approach that is unlikely to result in the desired outcome. In its current form, it is not an appropriate strategic policy for a spatial development strategy. This has already been borne out by a similar borough-wide policy approach introduced by the London Borough of Waltham Forest nearly ten years ago (currently Policy DM23 of the Waltham Forest Development Management Policies document adopted in 2015). Since its introduction, the policy has proven to be ineffective: childhood obesity in Waltham Forest has continued to rise.
6. London First agrees that this is a local matter for the boroughs to investigate. Where local circumstances suggest that there should be a form of planning intervention, then a more nuanced, area-specific approach is required that is justified by evidence through the Local Plan process and in tandem with a cross-service approach to public health and education services. London First is aware that there are a number of boroughs currently preparing Local Plans that include a policy on this matter; there is no need for a generic London-wide strategic policy.
7. When making decisions on new planning applications, the boroughs should be encouraged to use personal planning conditions to differentiate between different types of businesses to support those that act responsibly and offer healthy options on their menus and restrict those that do not. This could also apply, where appropriate and justified, to retail businesses that operate outside the A5 use class.
8. Accordingly, London First recommends that Policy E9C is amended as follows:
  - C ~~Development proposals containing A5 hot food takeaway uses should not be permitted where these are within 400 metres walking distance from the entrances and exits of an existing or proposed primary or secondary school. Boroughs that wish to set a locally determined boundary from schools must ensure this is sufficiently justified. Boroughs should also~~ **consider whether it is**

appropriate to carefully manage any the over-concentration of A5 hot unhealthy food takeaway uses retailers within Local, District and other town centres and other areas through the use of area-specific policies in Development Plans and consider the use of personal planning conditions in planning decisions to support businesses that offer healthy options and restrict those that do not.

**b) What evidence is there indicating high levels of obesity, deprivation and general poor health in London?**

1. London First is aware of a number of studies that link obesity and poor health with deprivation. However, London First is not aware of any evidence specifically linking obesity with the location of A5 hot food takeaway establishments. As stated above, this is a deep-rooted societal issue that is far more complex than the location of A5 hot food takeaways. It is a matter of behaviour and education.

**c) What evidence is there of over-concentration and clustering of hot food takeaways in London?**

1. London First submits that this matter should be investigated at the local level and that evidence is gathered, where appropriate, by the boroughs using their local knowledge.

**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”?**

1. As stated above in response to question (a), the example of the London Borough of Waltham Forest demonstrates that the blanket use of A5 exclusion zones does not reduce childhood obesity.
2. Whilst London First supports the over-arching objectives to improve the health of Londoners and reduce obesity amongst children, it is submitted that Policy E9 is a blunt policy tool trying to solve a complex social issue, and it will neither address the root cause of the problem nor support the delivery of GG3. Retaining E9 as currently worded would, in fact, set a worrying precedent for future planning policy.