

<b>ADULTS AND HEALTH SCRUTINY COMMITTEE</b>	<b>AGENDA ITEM No. 9</b>
<b>12 MARCH 2024</b>	<b>PUBLIC REPORT</b>

Report of:	Jyoti Atri, Director of Public Health	
Cabinet Member(s) responsible:	Cllr Saqib Farooq, Cabinet Member for Adults & Health	
Contact Officer(s):	Paul Stokes - Senior Strategic Public Health Manager Rose Earland - Public Health Manager Iain Green - Team Manager Health in All Policies	Tel. 07484 519466/01223 703257

**PETERBOROUGH CITY COUNCIL HIGH FAT, SALT AND SUGAR FOOD AND DRINK ADVERTISING AND SPONSORSHIP POLICY**

<b>RECOMMENDATIONS</b>	
<b>FROM:</b> Director of Public Health	<b>Deadline date:</b> N/A
<p>It is recommended that Adults and Health Scrutiny Committee:</p> <ol style="list-style-type: none"> <li>1. Consider the draft Peterborough City Council High Fat, Salt and Sugar food and drink Advertising and Sponsorship Policy and recommend the policy is considered by Cabinet for adoption.</li> </ol>	

**1. ORIGIN OF REPORT**

1.1 This report and draft policy have been requested by Adults and Health Scrutiny Committee following the 7 November meeting which discussed the petition the Council received on banning HFSS (High Fat, Salt and Sugar) advertising in advertising spaces owned by the council or on council owned land from the Youth Council.

**2. PURPOSE AND REASON FOR REPORT**

2.1 The purpose of this report is for the Committee to review the draft Peterborough City Council High Fat, Salt and Sugar food and drink Advertising and Sponsorship Policy. At the 7 November meeting the committee “recommended that a policy be approved to restrict the advertisement of such products on council-owned land and spaces, to include roundabouts sponsorships, lamppost banners and third-party managed digital boards.”

2.2 This report is for Adults and Health Scrutiny Committee to consider under its Terms of Reference, Part 3, Section 4 - Overview and Scrutiny Functions, paragraph No. 2.1 Functions determined by Council –

- 1.Public Health;
- 2.The Health and Wellbeing
- 4.Adult Social Care;
5. Safeguarding Adults.

2.3 Poor health outcomes are associated with Children in Care. Junk advertising promotes unhealthy diets and may exacerbate inequalities for children in care.

### 3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	No. However, subject to the Committees approval, this policy will be recommended to Cabinet.
---	---

### 4. BACKGROUND AND KEY ISSUES

4.1 Following the November committee officers from Public Health convened a task and finish group to draft a policy which would meet the requirements of the Scrutiny Committee recommendation and the petition from the Youth Council. The task and finish group membership includes officers from:

- Public Health – Joint Commissioning Unit, Health in All Policies
- Place and Economy – Safer Communities, Environment and Climate
- Customer and Digital Services – Communications
- Commercial and Procurement
- Adult Services and Communities – Environmental Health

4.2 The Policy has drawn heavily from policies adopted by other Councils within London, Bristol and Luton and uses best practice examples to ensure the policy is workable, easy to follow and is clear for officers and potential advertisers alike.

4.3 These other Councils have implemented High Fat, Salt and Sugar food and drink advertising restrictions as part of a wider harmful advertising policy. Whilst these restrictions are out of scope for the requested Peterborough policy, adopting this policy should not encourage or permit the unintended consequence of more, for example, alcohol/gambling advertising.

4.4 The evidence on the effects of exposure to high fat, salt, sugar advertising and links to obesity are given in the previous committee paper and are not repeated in this paper (the previous committee paper can be found at: [6a - Petition - Junk Food Advertisement.pdf \(peterborough.gov.uk\)](https://www.peterborough.gov.uk/6a-Petition-Junk-Food-Advertisement.pdf)).

The task and finish group raised issues concerning:

- Events on Council land which tend to have vendors selling HFSS food and drink.
- Route finder signs
- Street traders in the City centre
- Enforcement

4.5 In response to these issues the policy now includes a section on exceptions, which covers events and street traders. The wording indicates that market stalls/street traders can advertise on their 'business premises' e.g. food-van having a sandwich board with information, as this is the equivalent of a takeaway/restaurant having signage in their window.

4.6 The basis for adopting a policy which restricts advertising for HFSS food and Drink is to prevent continued exposure to advertising e.g. children and young people walking past an advertisement every day on the way to and from school. Exposure to a one-off event doesn't have the same exposure level therefore is excluded from the policy.

### 5. CORPORATE PRIORITIES

5.1 *Consider how the recommendation links to the Council's Corporate Priorities:*

1. *The Economy & Inclusive Growth*

- *Environment*

*Carbon Impact Assessment: If a HFSS advertising policy were to be implemented by the Council, there would be a neutral and potentially positive impact on carbon emissions. If a policy were to be implemented that resulted in decreased consumption of HFSS foods, carbon emissions could potentially be reduced in the city.*

- *Homes and Workplaces*
- *Jobs and Money*

## 2. *Our Places & Communities*

- *Places and Safety (including any rural implications)*
- *Lives and Work*
- *Health and Wellbeing*

An advertising policy would support the Joint HWB strategy priority 'create an environment to give people the opportunity to be as healthy as they can be' and the Public Health commissioned weight management services.

## 3. *Prevention, Independence & Resilience*

- *Educations and Skills for All*
- *Adults*
- *Children*

Rates of overweight and obesity are high in children in Peterborough. An advertising policy would support the Joint HWB strategy priority 'create an environment to give people the opportunity to be as healthy as they can be' and the Public Health commissioned weight management services.

## 4. *Sustainable Future City Council*

- *How we Work*
- *How we Serve*
- *How we Enable*

Further information on the Council's Priorities can be found here - [Link to Corporate Strategy and Priorities Webpage](#)

## 6. **CONSULTATION**

6.1 No external consultation has been done.

6.2 Should the committee recommend that Cabinet consider adopting the policy wider consultation can be undertaken at that point.

## 7. **ANTICIPATED OUTCOMES OR IMPACT**

7.1 If a HFSS food and drink advertising ban were to be implemented, it would decrease the exposure of the Peterborough population to unhealthy food and drink advertisements. Evidence suggests that reduced exposure to HFSS advertising reduces purchase and consumption of these products. Therefore, we would expect this to have a positive impact on health outcomes.

## 8. **REASON FOR THE RECOMMENDATION**

8.1 Information provided following a [petition](#) received by the Council from Peterborough Youth Council.

## 9. **ALTERNATIVE OPTIONS CONSIDERED**

9.1 No alternative options have been considered.

## 10. **IMPLICATIONS**

### **Financial Implications**

10.1 There is potential risk for a loss in advertising revenue if HFSS products were to be restricted.

Evidence from a similar policy (TfL) shows an increase in advertising revenue from switching to non-HFSS adverts and companies.

Further work on these potential cost implications and risks for Peterborough are required if the policy is recommended to Cabinet.

### **Legal Implications**

- 10.2 Local authorities have a statutory duty to promote public health (Health and Social Care Act 2012, NHS Act 2006, Health and Care Act 2022).

Any policy must operate within existing legislative requirements and codes of conduct, including the Advertising Standards Authority (ASA) UK Code of Non-broadcast Advertising and Direct & Promotional Marketing; the Government's Code of Recommended Practice on Local Authority publicity; and the Equalities Act 2010.

### **Equalities Implications**

- 10.3 Evidence shows that fast-food marketing, including repeat exposure to outdoor advertising, encourages increased consumption of fast-food, particularly by children, in turn driving overweight and obesity. A recent study in Bristol found that unhealthy product advertisements, particularly for unhealthy food and drinks, were observed more by younger people and those living in more deprived areas.

If the Peterborough HFSS advertising policy were to be implemented by the Council, to specifically restrict such advertisements, it would have the potential to reduce health inequalities.

## **11. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 11.1
- [Barnsley Council Advertising and Sponsorship Policy, HFSS Guidance Note, 2022](#)
  - [Bristol City Council Advertising and Sponsorship Policy, HFSS Guidance Note, 2019](#)
  - [Luton Healthier Food and Drink Advertising Policy guidance note, 2023](#)
  - [Merton Council Advertising Policy, 2020](#)
  - [TfL Advertising Policy: Approval Guidance Food and Non-Alcoholic Drink Advertising, 2019](#)

## **12. APPENDICES**

- 12.1 Appendix 1 - Peterborough City Council High Fat, Salt and Sugar food and drink Advertising and Sponsorship Policy