

# Appendix 1

## PETERBOROUGH CITY COUNCIL HFSS FOOD AND DRINK ADVERTISING AND SPONSORSHIP POLICY

### 1. Purpose of policy

- 1.1. This policy has been developed to contribute to the reduction of childhood obesity in Peterborough by restricting the advertising of food and drink high in fat, salt and sugar (HFSS).
- 1.2. There is growing evidence that restrictions on overt and subliminal advertising of HFSS food may influence behaviour in respect of the consumption of unhealthy food and beverages and Peterborough City Council (The council) aims to improve the population's health by the restrictions set out in this policy, which are considered proportionate to the legitimate aims of this policy.

### 2. Background

- 2.1. Evidence shows that advertisements for unhealthy food and drink products directly and indirectly impact what we eat<sup>1</sup>. Both children and adults from lower socio-economic groups are 50% more likely to be exposed to such advertisements for high fat, salt, or sugar (HFSS) foods<sup>2</sup>.
- 2.2. This is concerning for Peterborough as it is in the most deprived 20% (quintile) of local authorities in England, and the percentage of year 6 pupils classed as overweight or obese in 2022/23 was 38.5%, which is significantly higher than the England average of 35.2%.
- 2.3. Implementation of a healthier food advertising policy aims to protect residents from exposure to HFSS products. It supports the priorities of both the council to *'Create healthy and safe environments where people want to live, invest, work visit and play'* and the Joint Health and Wellbeing Integrated Care Strategy to *'Create an environment for people to be as healthy as can be'*.

### 3. Definitions

- 3.1. Advertising is defined within this policy as a display of informative and/or persuasive content about an organisation or individual's products, services, causes or ideas in/on council assets.
- 3.2. Advertising opportunities fall into two specific categories, which carry the potential of different levels of reputational risk to the council, and which will therefore be treated differently:
- 3.3. Sponsorship, for the purposes of this policy, is defined as a formal or contractual relationship between the council and an external organisation in which the organisation supplies funding, resources or other services in exchange for recognition from the council, either through the offer of association with a project or event that may be used for commercial advantage, naming rights or another mutually beneficial agreement.

3.4. In practice, the two terms – advertising or sponsorship - can overlap. Advertising on roundabouts may be called sponsorship because the income raised from the advertisements is used to cover the cost of maintaining the roundabouts.

3.5. Sponsorship may also refer to the council, or one of its traded services, acting in the sponsor role by providing resources to an external organisation in exchange for recognition and/or reputational gain.

3.6. Forms of such recognition can include, but are not limited to: appropriate signage, inclusion of the sponsor's name and logo on council publications/assets and other external publications and naming rights for an event or building for the term of the sponsorship.

## 4. Application

4.1. This policy applies to:

- a) All council owned land
- b) All council owned advertising sites
- c) Advertisement at council premises open to the public (e.g. libraries, leisure centres, schools)
- d) Advertisements in premises the council leases from 3<sup>rd</sup> parties. (subject to existing lease issues)

4.2. Any historical sponsorship, advertising or contractual arrangement affected by this policy should be reviewed at the next contractually available juncture.

4.3 This policy applies to Peterborough City Council, including when working in formal partnership or collaboration with another body.

## 5. General Principles

5.1. The UK Nutrient Profiling Model (NPM) has been identified as the most proficient way of identifying food and drink that is HFSS. It has been subject to rigorous scientific scrutiny, extensive consultation, and review.

5.2 The scoring system balances the contribution made by beneficial nutrients that are particularly important in children's diets with components in the food that children should eat less of. It has therefore been concluded that the NPM model is the best way of identifying food that contributes to child obesity.

5.3 Guidance on how to identify whether a product is considered HFSS under the NPM is available [here](#).

5.4 The outcome of any reviews or revisions of the NPM will be considered in tandem with the review of this policy.

## 6. Exceptions

6.1 There are no standard exceptions to the policy offered on council-owned land, advertising sites and premises.

6.2 The only circumstances in which an exception will be considered are:

a) Within the boundary of an event happening on council-owned land where the application of the policy would make the event unviable or logistically unfeasible to run (For example, directional signage to stalls at a food and drink festival or a Christmas market).

b) Within the boundary of a business premises operating on council-owned land (For example, signage on a street trader food stall)

6.3 In the event of a dispute on any application for an event, a final and binding decision will be made by the Head of Communications and Director of Public Health.

## 7. Advertisements featuring only non-HFSS food or non-HFSS drink products

7.1 Advertisements featuring food and drink deemed non-HFSS only, would be approved.

## 8. Advertisements featuring only HFSS products

8.1 Where a proposed advertisement features only food and/or drink which is rated HFSS, the advertisement would be rejected.

## 9. Advertisements where there is a range of food/drink featured, some of which is HFSS

9.1 Where a proposed advertisement features a range of food and/or drink, some of which is rated HFSS, the advertisement would be rejected.

## 10. Advertisements where no food or drink is featured directly but the advertisement is from or features a food and/or drink brand:

10.1. This may include:

- Advertisements where the brand's logo is included but no products, e.g. a brand values campaign
- Directional signage to a store, app or website
- Promotional advertising which is price led but features no products, e.g. "50% off everything" or similar
- Sponsorship of an event or attraction by a food or drink brand

10.2 This excludes businesses under Use Class Order A1 Shops<sup>3</sup> that do not primarily sell HFSS products.

10.3. Food and drink brands (including food and drink service companies or ordering services) will only be able to place such advertisements if the advertisement promotes healthier options (i.e. non-HFSS products) as the basis of the copy.

10.4 In the event of a dispute on any application to Clause 10, a final and binding decision will be made by the Head of Communications and Director of Public Health.

## 11. Advertisements where food and drink is shown 'incidentally' i.e. it is not the subject of the advertisement but is included (or implied) by visual or copy:

11.1. HFSS products should not be promoted by being featured in advertisement for other products, as the advertisement would be rejected.

## 12. Advertisements where food and drink is referenced in text, through graphical representations or other visual representation.

12.1. HFSS products should not be promoted through references in text, graphical images or other visual representations of food and drink, as the advertisement would likely be rejected.

## 13. Portion sizes

13.1. The NMP is based on nutrients per 100g of a product, rather than recommended portion size. Advertisers should always ensure that they promote products in portion sizes which encourage healthy eating. For products that are non-HFSS but fall within a category covered by PHE's recommendations for sugar or calorie reduction, the product should be displayed as a single portion.

## 14. Decision table

Content	Outcome	Example(s)	Notes
Only non-HFSS products featured	Approved	An advertisement for fresh fruit and vegetables	
Only HFSS products features	Rejected	An advertisement for sweet pastries	
A range of products, some of which are HFSS and some of which are non-HFSS	Rejected	An advertisement for a meal deal that includes a chocolate bar (HFSS) as well as fruit (non-HFSS)	All food/drink items being advertised must be non-HFSS
No food or drink directly displayed but the advertisement is from (or features) a food/drink brand*	Possibly approved – only if healthier options (non-HFSS) are being promoted	A food business advertising only non-HFSS products (approved)	Many brands and their logos have strong HFSS product association. Some HFSS products also share the same name as the actual brand name, making it difficult to separate the brand name from the associated product.
		A fast-food business advertising a competition or an affiliation to an event (rejected).	
Food and drink is shown ‘incidentally’ i.e., it is not the subject of the advertisement but is included (or implied) by visual or copy	Possibly approved – only if healthy products (non-HFSS) are being displayed	A travel firm advertising holiday offers which happens to contain images of oranges (approved)	If the advertisement can be reasonably considered to promote HFSS products it will be rejected regardless of whether the food is intended focus of the advertisement.
		A travel firm advertising holiday offers which happens to contain images of ice creams (rejected)	
Food and drink is referenced in the text, through graphical representations or other visual representation (not a real product being advertised)	Possibly approved – only if healthy products (non-HFSS) are being promoted	An advertisement that contains a cartoon image of carrots (accepted)	If the advertisement can be reasonably considered to promote HFSS products it will be rejected regardless of whether the food is an actual product.
		An advertisement that contains a cartoon image of chocolate (rejected)	
Indirect promotion of HFSS food and/or drink	Possibly approved – only if prominent text accompanies the image naming the product and retailer	An advertisement featuring a non-HFSS ice cream that includes prominent text that accompanies the image naming the specific product and retailer (accepted)	A prominent product descriptor helps to differentiate it from non-compliant products. This is necessary where the product falls into a category typically

		An advertisement featuring a non-HFSS ice cream but with no accompanying explanatory text (rejected)	associated with HFSS products (such as ice cream).
Portion sizes	Possibly approved – see Notes column	An advertisement for a non-HFSS 16-inch pizza that displays a portion (e.g., 3 slices) and that also displays clear text naming the product and retailer as per the row above (accepted)	Advertisers should always ensure that they promote products in portion sizes which encourage healthy eating. For products that are non-HFSS but fall within a category covered by OHID’s recommendations for sugar or calorie reduction, the product should be displayed as a single portion.
		An advertisement for a non-HFSS 16-inch pizza that displays an image of the full pizza (rejected)	

\*any person or company that prepares, produces, handles, food/drink for consumption including, but not limited to, restaurants, cafes, hot food takeaways or drinking establishments. Excluding Use Class Order A1 Shops<sup>3</sup> that do not primarily sell HFSS products.

## 15. Acknowledgement

This policy is based on advertising policies implemented by other authorities including TfL, Barnsley, Bristol and Merton.

## 16. References

<sup>1</sup> Critchlow N, Bauld L, Thomas C, Hooper L, Vohra J. Awareness of marketing for high fat, salt or sugar foods, and the association with higher weekly consumption among adolescents: a rejoinder to the UK government's consultations on marketing regulation. *Public Health Nutr.* 2020 Oct;23(14):2637-2646. doi: 10.1017/S1368980020000075. Epub 2020 May 21. Erratum in: *Public Health Nutr.* 2021 Sep;24(13):4371-4375. PMID: 32434618; PMCID: PMC7116036.

<sup>2</sup> Yau A, Adams J, Boyland EJ, Burgoine T, Cornelsen L, de Vocht F, Egan M, Er V, Lake AA, Lock K, Mytton O, Petticrew M, Thompson C, White M, Cummins S. Sociodemographic differences in self-reported exposure to high fat, salt and sugar food and drink advertising: a cross-sectional analysis of 2019 UK panel data. *BMJ Open.* 2021 Apr 7;11(4):e048139. doi: 10.1136/bmjopen-2020-048139. PMID: 33827849; PMCID: PMC8031692.

<sup>3</sup> [The Town and Country Planning \(Use Classes\) \(Amendment\) \(England\) Regulations 2020 \(legislation.gov.uk\)](https://www.legislation.gov.uk)