

Adult Social Care

& Public Health Sub-Committee Agenda Item 7(a)

Brighton & Hove City Council

Subject:	Notice of Motion: Fast Food and Energy Drink Advertising		
Date of Meeting:	14 June 2022		
Report of:	Director of Public Health		
Contact Officer:	Name:	Giles Rossington	Tel: 01273 295514
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 At the 07 April 2022 Full Council meeting, a Notice of Motion on Fast Food and Energy Drink Advertising was agreed and referred to Adult Social Care & Public Health Sub-Committee (ASCPH).
- 1.2 The approved Notice of Motion is attached as Appendix 1 to this report, and an extract from the draft minutes of the meeting as Appendix 2.
- 1.3 Information on the public health impacts of fast food is included in the main body of the report as is information on advertising on BHCC estates.

2. RECOMMENDATIONS:

2.1 That the Adult Social Care & Public Health Sub Committee:

- (1) notes the information provided in the report.
- (2) Agrees that an officer project group be established, with representation from BHCC Public Health, Property & Design and Transport, and potentially other relevant services, to further explore the issue of fast food & energy drink advertising.
- (3) Agrees that the project group will report back to the January 2023 ASCPH meeting with a paper which will include:
 - Detailed information on the extent of fast food & energy drink advertising on BHCC estates
 - An evaluation of the success of initiatives in other cities to restrict fast food advertising (e.g. Bristol/Transport for London)
 - A proposal to refresh the Council's policy on advertising, including updating or extending restrictions, specifically including energy drinks in restrictions etc.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 At the 07 April 2022 Council meeting members agreed a Notice of Motion (NoM) on fast food and energy drink advertising. The NoM resolves to:
- Ask the Chief Executive to write to the Chief Executive of Brighton & Hove Buses and Southern Rail asking for a ban on the advertising of fast food and energy drinks to be imposed across the Brighton & Hove transport network
 - Request that the Adult Social Care & Public Health Sub Committee calls for an audit of fast food or energy drinks advertisements on any hoarding or within any building owned by this Council including large advertisements on bus stops.
 - Ask the Chief Executive to write to the relevant minister requesting the recommendations of the 'Taking Down Junk Food Adverts' report be adopted as government policy as soon as possible; copying in our local members of Parliament to seek their support.
- 3.2 The Chief Executive has written the letters requested in the NoM.
- 3.3 The NoM also asks the Adult Social Care and Public Health Sub Committee (ASCPH) to consider calling for an audit of fast food and energy drink advertisements on any hoarding or within any building owned by the Council, including large advertisements on bus stops. Information below outlines the public health challenges posed by obesity; actions being taken in other UK cities; and advertising on BHCC estates.
- 3.4 **Making the case for action on HFSS foods advertising to address obesity**
- 3.4.1 Childhood obesity is a significant challenge for the children of Brighton and Hove. The latest data shows that only two out of three (66%) of children leaving primary school aged 11 are a healthy weight. Those who are overweight or obese has increased from 30 to 34% in the last year.
- 3.4.2 Nationally two thirds of adults are either overweight or obese, increasing the risk of heart disease, many cancers, type 2 diabetes and other health conditions. The recent COVID pandemic underlined the increased risk of becoming seriously ill or dying with obesity as an underlying risk factor.
- 3.4.3 Advertising of foods that are high in fat salt and sugar has been shown to significantly increase purchase and consumption of these items. The World Health Organisation notes this as a key contributor to the rise in Obesity (WHO 2019) National evidence shows the relationship between the advertisement of unhealthy foods and more deprived areas where residents are at greater lifestyle related health risk.

- 3.4.4 Restricting advertisements for these items has been recommended as one of a range of evidence-based measures to reduce consumption of these high calorie and less healthy food options, reducing the risk of obesity amongst children and adults.
- 3.4.5 Transport for London, a number of London boroughs (Greenwich, Haringey, Southwark and Merton) and Bristol have already introduced HFSS advertising restrictions.
- 3.4.6 Evidence from Transport for London shows an association between the introduction of restrictions and relative reduction in energy purchased from HFSS products. Despite concerns about revenue generation pre-introduction, Transport for London found that advertising revenue had increased post-introduction and was sustained for the first year of the change.

3.5 Advertising on BHCC estates

- 3.5.1 The council receives revenue from two main types of advertising: on advertising hoardings/billboards, and on transport infrastructure: e.g. bus shelters. There may also be advertising within or on council-owned buildings: either properties directly managed by the council or properties let to tenants.
- 3.5.2 **Hoardings.** The council owns a small number of advertising hoardings (billboards) across the city. These are managed by the BHCC Property & Design service. There are no current restrictions on the content of adverts displayed on hoardings as our controls over content on hoardings is limited through legal and financial contractual arrangements.
- 3.5.3 **Bus shelters.** The contract for these is let to Clear Channel and contract-managed by the BHCC Transport service. A recent audit (Easter 2022) of bus shelter advertising found that 7-8% of adverts were for fast food brands, with KFC and McDonalds the main brands using this space. There are currently contractual restrictions in place for bus shelters:

Advertisements directed towards children

Advertisements for alcoholic drinks should not feature in promotions directed at people under 18. Advertising for alcoholic beverages or fast food takeaways should not be sited within 100 meters of any school or youth club, or NHS building, or public sector building/premises/facility/park/leisure centre primarily used by those under the age of 18 (or their guardian or carers).

The income from bus shelter advertising is used to support accessibility improvements at bus stops and socially necessary bus services.

- 3.5.4 **Council-owned buildings.** There is no commercial advertising within buildings owned and directly managed by the city council. There will be

some advertising within buildings let commercially by the council: e.g. shops or cafes. In theory the council could include restrictions on advertising as part of the contract with individual leases, but this would have financial implications and is not typically done. We currently have little detailed information about the extent or nature of this type of advertising.

3.6 Other UK Cities. Some other UK cities have launched initiatives to restrict certain types of advertising. These include Bristol, the London Boroughs of Greenwich, Southwark, Merton and Haringey, and Transport for London (TfL). Typically restrictions are applied to the advertising of high fat, sugar, salt foods (HFSS) rather than attempts to restrict specified brands or types of food.

3.7 Gaps. There are some areas where there is currently not enough information to come to an informed position about making changes to the council position on fast food advertising. Areas that need more work include:

- The extent of fast food advertising on BHCC-owned hoardings.
- The extent of fast food advertising in BHCC buildings, particularly where these buildings are let to third parties.
- The impact of initiatives undertaken by other UK councils and other bodies (e.g. TfL): i.e. in terms of improved public health outcomes, and in terms of positive or negative impacts on the advertising income of these bodies.
- The likely impact on BHCC income from introducing or broadening advertising restrictions.
- The likely public health impact on people living in, working in or visiting the city from introducing or broadening advertising restrictions.
- The most effective way to target any intervention: e.g. to consider restricting advertising of HFSS products; to consider specific targeting of energy drinks.

3.8 It is therefore proposed that ASCPH agrees to instruct officers from Public Health to establish an officer project group with other relevant BHCC services (e.g. Property & Design and Transport) to gather the information outlined in 3.7 above. This may include conducting an audit of advertising if there is not sufficient data currently available. The group will bring a report to the January 2023 ASCPH meeting with more detailed information on fast food advertising in the city and proposals to refresh the Council's policies.

4. CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 ASCPH could choose not to progress this work. However, full Council has agreed the NoM in question, so there is a pressing case for action to be taken.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 none in relation to this report.

6. CONCLUSION

6.1 In determining whether the Council needs to change its policies around fast food & energy drink advertising, ASCPH requires information that is not currently to hand, including more detailed data on the extent of fast food advertising on BHCC-owned property and the success of advertising restrictions in other UK cities. It is therefore proposed that an officer project group be established to explore these areas and report back to a future sub-committee meeting.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 There are no direct financial implications arising from the recommendations of this report. However, the project group may need to consider any additional resources it would require to fully meet the proposed objectives.

7.2 Any change to advertising policy on Council owned property could have an adverse impact on revenue generation. Any such impact should be evaluated and presented as part of any project groups findings.

Finance Officer Consulted: Name David Ellis

Date: 20/05/22

Legal Implications:

7.3 The subject matter of this NOM sits within the functions of this sub-committee as does the power to call for a report – the outcome of which will then be reported to Health and Wellbeing Board and Council.

Lawyer Consulted: Sandra O'Brien

Date: 25/5/22

Equalities Implications:

7.3.1 Obesity is a major public health risk and one that impacts across society. There are particular equalities issues associated with obesity, with twice the risk of obesity for those in the most deprived parts of the city compared with the least deprived. Diet related disease impacts those in more deprived areas of the city unequally including diabetes, cardiovascular disease, and obesity related hospital admissions are also higher amongst those living in deprived areas. In addition, most BAME groups having an increased risk of being an unhealthy weight in childhood and adulthood. There is also an

increased risk of obesity amongst those living with disability. The relationship between gender and more deprived groups and obesity is stronger for women than men.

Sustainability Implications:

7.4 None directly.

Brexit Implications:

7.5 None identified

Any Other Significant Implications:

Crime & Disorder Implications:

7.6 None identified.

Risk and Opportunity Management Implications:

7.7 None identified.

Public Health Implications:

7.8 These are detailed in the body of the report.

Corporate / Citywide Implications:

7.9 Advertising income is used by the Council for socially useful purposes (e.g. the income from bus shelter advertising helps fund work to make bus stops more accessible and supports the maintenance of non-commercial bus routes). If imposing restrictions on advertising would result in reduced income, the Council will need to balance this against the public health benefits. It is not necessarily the case that restricting the advertising of certain products would have a negative revenue impact: this is something to be explored by the proposed project group, with particular reference to data from other UK cities where restrictions have been applied. In citywide terms, the group may also wish to explore ways in which the Council can influence other owners of city advertising sites to encourage responsible advertising.

SUPPORTING DOCUMENTATION

Appendices:

1. Notice of Motion on fast food & energy drink advertising – as agreed by full Council
2. Extract from the draft minutes of Full Council 07 April 2022

