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Nottingham Council forced to remove fast food restriction policy from local plan

8 July 2019 by Colin Marrs

Nottingham City Council has removed a draft local plan policy banning new fast food takeaways within 400 metres of schools following the recommendation of an inspector who questioned the evidence behind the proposal and after objections from fast food giants KFC and McDonalds.



Council forced to remove proposed ban on takeaways near schools. Image by Martin Burrow, Flickr

The council had proposed the policy in its emerging local plan part two as a response to the problem of obesity in the city.

The draft policy said planning applications for fast food outlets within 400m of school gates would not be allowed "unless it can be clearly demonstrated that the proposal will not have a negative impact on health and wellbeing".

It cited public health guidance from the National Institute for Health and Care Excellence, published in 2010, which recommends councils set limits for the number of takeaways and food outlets near schools.

The deleted policy also said that Nottingham has 111 hot food takeaways for every 100,000 people compared to averages of 88 for England and 74 for the East Midlands.

However, a letter to the council from the inspector examining the plan, sent in January, recommended removing the policy as one of a number of main modifications required to make the plan sound.

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She said: "There is insufficient evidence to support the link between childhood obesity and the concentration or siting of A3, A4 and A5 uses within 400m of a secondary school..." and that "the criterion and justification should therefore be deleted/amended".

The council has now removed the policy from the plan and a consultation on the amendments closed at the end of last month.

Councillor Linda Woodings, portfolio holder for housing, planning and heritage at the council, said: "In a city with more than 350 takeaways, we thought it would be helpful for us to be able to control new applications for fast-food outlets that were within 400m of a school.

"We worked up a detailed proposal to be considered by the Planning Inspector for inclusion in the draft local plan – we received objections from both McDonald's and KFC.

"The inspector has taken a look and feels that there is insufficient 'locally-specific evidence' to prove a link between child obesity and proximity of takeaways. Her suggestion is that this is removed from the draft local plan.

"While the council will now respect this view, we feel we need a much clearer direction from the government and a policy which works across the country if we want to tackle child obesity properly."

A Planning Inspectorate spokesperson said: "The council's policy referred to is being considered through the examination and was discussed during a hearing session at the end of last year."

"The letter, which has been published on the council's website, sets out a brief indication of why the Inspector considers the modification to amend this policy is necessary.

"A fuller reasoning will be set out in her final report."

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