

**To: Infrastructure, Land and Environment Policy Board**

**On: 20 March 2019**

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**Report by: Director of Communities, Housing and Planning Services**

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**Heading: Diet and Obesity: Proposals to Improve the Out of Home Food Environment in Scotland**

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## **1. SUMMARY**

- 1.1 Food Standards Scotland has launched a consultation on proposals to improve the Out of Home food environment in Scotland. This consultation covers all the food and drink eaten 'on the go' outside the home such as on the way to work or school, at lunch or snack times or when commuting.
- 1.2 65% percent of adults and 29% of children are overweight or obese in Scotland and the figures are higher in the most deprived areas, particularly for children. It is recognised that preventable diet related ill health including: cardiovascular disease; Type 2 diabetes; cancer; high blood pressure and stroke are all on the increase. It is predicted that the costs to the NHS of tackling obesity related disease will have doubled by 2030.
- 1.3 The annual cost of treating conditions associated with being overweight and obese is estimated to range from £363 million to £600 million.
- 1.4 The proposal to develop an Out of Home Food Strategy for Scotland was included in the recently published Scottish Government, Diet and Healthy Weight Delivery Plan, which sets out a package of actions designed to help people make healthier choices, change their eating habits and live healthier lives.
- 1.5 Food Standards Scotland launched a consultation on the Out of Home Food Environment in Scotland on 22 November 2018 and the consultation can be found at <https://consult.foodstandards.gov.scot/nutrition-science-and-policy/proposals-to-improve-the-out-of-home-environment-i/>.

- 1.6 The measures proposed in this Food Standards Scotland consultation are designed to complement and contribute to the actions encompassed within the Scottish Government Diet and Healthy Weight Delivery Plan. Responses to these measures will help inform Food Standards Scotland's recommendations to Scottish Ministers on the development of a Scottish Government Out of Home Strategy.
- 1.7 Tackling healthy eating is a multidisciplinary area with many different bodies currently working towards educating and supporting healthy choices among the population. Traditionally this has been a National Health service function, but it has been recognised that Local Authorities have a major role to play and are well placed to assist in the delivery of improvements and in influencing choice in several ways.
- 1.8 Currently, officers from Renfrewshire Council's Business Regulation team are part of the Scottish Food Enforcement Liaison Committee (SFELC) Diet, Nutrition and Health Working Group. This group works closely with Food Standards Scotland, Scottish Government and partner agencies.
- 1.9 The final date for submissions to the consultation was 28 February 2019. A response was submitted by the Council within the timescales set by Food Standards Scotland and is attached as Appendix 1.
- 1.10 Renfrewshire Council welcomes this consultation and the efforts required to tackle the on-going public health issues of obesity. The attached response highlights the role that can be played by the public sector in helping to address the concern of obesity – including the role of food providers in the public sector – in schools and other establishments and the potential role for regulators including Environmental Health, Licensing and Planning in particular.
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## **2. RECOMMENDATIONS**

- 2.1 It is recommended that the Infrastructure, Land and Environment Policy Board:
- (i) notes the Food Standards Scotland consultation on influencing the future shape of the Diet, Nutrition and Health landscape in Scotland; and
  - (ii) homologates the Council's submitted consultation response as detailed in Appendix 1 to this report.
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## **3. BACKGROUND**

- 3.1 In 2017 the Scottish Government issued a consultation on improving diet and weight in Scotland. The final Delivery Plan was published in July 2018 (<https://www.gov.scot/publications/healthier-future-scotlands-diet-healthy-weight-delivery-plan/pages/10/>)

3.2 The five main outcomes were:

- Children have the best start in life – they eat well and have a healthy weight
- The food environment supports healthier choices
- People have access to effective weight management services
- Leaders across all sectors promote healthy diet and weight
- Diet-related health inequalities are reduced

3.3 The proposals contained within the document were:

- Restrict targeted promotion and marketing of foods high in fat salt or sugar (HFSS) foods within premises where foods are sold to the public
- Restrict advertising of foods that are high in fat, salt and sugar
- Urging UK Government to restrict the use of licenced characters etc. for promoting foods to children that are high in fat, salt and sugar.
- Supporting healthier choices in Out of Home food outlets (OOH)
- Exploring potential for planning controls over food outlets near schools
- Reformulating products to reduce public health harm
- Restricting the sale of energy drinks to under 16s
- Supporting fiscal measures that encourage healthier choices

3.4 Following on from this report, Food Standards Scotland (FSS) has launched the most recent consultation on proposals to improve the Out of Home food environment in Scotland. This consultation covers all the food and drink eaten outside the home. This includes the food we eat 'on the go' such as on the way to work, school or home, at lunch or snack times or when commuting.

3.5 Premises included are:

- Cafes
- all types of restaurants, takeaways, pubs/bars, vending machines, workplace canteens, hotels, leisure and entertainment venues.
- Supermarkets and convenience stores who provide "food on the go"
- Places where we purchase food when commuting or travelling
- Manufacturers and suppliers of food and drink to the Out of Home food sector
- Food delivery services, including online

3.6 The Scottish diet is too high in calories, fats, sugars and salt and this can impact our health. Diet related diseases such as type 2 diabetes, heart disease and some cancers can seriously affect individuals, families and communities, as well as the nation's economy and productivity.

- 3.7 In Scotland, 65% percent of adults and 29% of children are overweight or obese and the figures are higher in the most deprived areas, particularly for children.
- 3.8 The health effects associated with carrying excess weight are severe. Obesity is the second-biggest preventable cause of cancer, behind only smoking, and is linked to around 2,200 cases of cancer a year in Scotland. Being overweight and obese is also the most significant risk factor for developing type 2 diabetes and can result in increased risk of other conditions including cardiovascular disease and hypertension. In addition, 31% of Primary 1 school children in Scotland had signs of tooth decay in 2016.
- 3.9 The annual cost of treating conditions associated with being overweight and obese is estimated to range from £363 million to £600 million.
- 3.10 In addition to the health impacts, there are significant socioeconomic implications. The total annual cost to the Scottish economy of overweight and obesity, including labour market related costs such as lost productivity, is estimated to be between £0.9 billion and £4.6 billion.
- 3.11 The Out of Home Food sector has a major role to play in tackling the nation's levels of obesity. A recent report by Food Standards Scotland – An assessment of the out of home food and drink landscape in Scotland (2015) provided evidence on the out of home food and drink market in Scotland. The key findings of the report include:
- Often food consumed in out of home settings is high in fat, salt and sugar and easily consumed.
  - In 2015, there were 948 million visits to out of home food establishments in Scotland.
  - It is estimated that we eat between 20-25% of our total calories out of home and adults who eat takeaway meals at home at least once per week consume on average 63 to 87 kcal more per day.
  - In children, a weekly consumption of takeaway food equates to 55-168 kcal more per day.
  - Many of the top food and beverages consumed out of the home in Scotland tend to be less healthy, deep fried, high fat/high sugar foods including: chips/French fries, burgers and regular carbonated drinks.
- 3.12 Tackling healthy eating is a multidisciplinary subject with many different partner agencies currently working towards educating and supporting healthy choices among the population. Traditionally this area has been a National Health Service function, but it was recognised that Local Authorities have a major role to play and are well placed to assist in the delivery of improvements and influence choice in several ways.

- 3.13 Respondents to the original consultation from all sectors saw the potential for an enhanced role for Local Authority Environmental Health officers, who were key partners in relation to this agenda. It highlighted that there was scope for these professionals to offer education, advice and support to the out of home sector in relation to the use of healthier ingredients, healthier menus and improved cooking practices as part of their official programme of visits to out of home establishments. In addition, many small/medium food businesses would benefit from guidance on portion size, calorie labelling and staff nutrition training.
- 3.14 Currently, officers from Renfrewshire Councils' Business Regulation team, are part of the Scottish Food Enforcement Liaison Committee (SFELC) Diet, Nutrition and Health Working Group. This group works closely with Food Standards Scotland. Recently officers have been involved in the piloting and evaluation of MenuCal – (an online resource for food businesses to calculate the calories and allergens in the foods they serve).

### **SGF Healthy Living Programme**

- 3.15 A further Scottish Government sponsored programme of note is The Scottish Grocers' Federation (SGF) Healthy Living Programme. The main objectives are:
- To increase the range, quality and affordability of fresh produce and other healthier products from across categories in convenience retail stores across Scotland.
  - To focus in particular on communities within areas of deprivation.
  - To work towards the goals set by the Scottish Government to improve the health of the Scottish Nation and reduce obesity.
  - To advise convenience retailers how they can achieve this while benefiting their own business.
- 3.16 88 small convenience stores within Renfrewshire are currently involved and officers from the Business Regulation team are engaging with the remaining 41 by way of an onsite visit and providing guidance.
- 3.17 It is well documented that there is an increase in takeaway/fast food outlets serving predominantly unhealthy foods and that these proliferate in areas of deprivation and that those around schools can impact on children's diets.
- 3.18 In Renfrewshire, officers have reported a marked increase in the number of fast food outlets near schools that previously served the evening trade, now opening at lunch time. These new opening hours are specifically targeting school pupils.

- 3.19 The public sector provides food to many people in various settings including health and social care, prisons, schools, government, local authorities, leisure centres and visitor attractions. In 2014 the Scottish Government and Food Standards Agency in Scotland jointly developed the Supporting Healthy Choices framework which invited the food and drink industry and other partners to take specific voluntary action to create a healthier food environment for consumers; one which readily encourages healthier choices.
- 3.20 Partners include the Scottish Government, FSS, the food and drink industry, including retailers, manufacturers and out of home catering businesses, the NHS and local authorities, as well as consumers. The Scottish Government believes that food and drink served within the Scottish public sector should provide a positive example and set the standard for healthy eating, even where catering services are contracted out. By providing an example of healthy eating, public sector establishments have the opportunity to positively influence personal and family food choices and contribute to changing social norms.
- 3.21 There are nutritional standards for schools and hospitals, and the Government supports several programmes for the workforce to help deliver healthy eating and physical activity in workplaces e.g. Healthy Working Lives.
- 3.22 All school meals are fully analysed through a system called Nutmeg and must meet the Health Promotion and Nutrition Act 2007. Renfrewshire Council responded to Scottish Government consultation in the summer of 2018 on a review of this act which will come into force in 2019 or 2020. Councils will be required to analyse menus on a daily basis and change menus to comply.
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### **Implications of the Report**

1. **Financial** – None
2. **HR & Organisational Development** – None
3. **Community Planning**  
**Renfrewshire is well** – improving healthy choices and reducing fatty foods should ensure that people that live, work and visit Renfrewshire are healthier and lead healthier lives.
4. **Legal** - None
5. **Property/Assets** - None
6. **Information Technology** - None

## **7. Equality & Human Rights**

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website

**8. Health & Safety – None**

**9. Procurement – None**

**10. Risk – None**

**11. Privacy Impact – None**

**12. Cosla Policy Position – None**

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## **List of Background Papers**

None

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OR  
25 February 2019

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**Renfrewshire Council response to Food Standards Scotland Consultation**

**Question 1 – Do you agree that the businesses listed above should be included within an Out of Home Strategy for Scotland?**

Yes – snack vans should also be included.

**Question 2 – Which of the following measures should be taken to reduce excessive calorie contents of food and drinks eaten outside of the home?**

Reducing portion sizes, changing recipes e.g. by reducing fats and sugars and increasing fruit/vegetables/bean/pulses and fibre content, ensuring single serve packs are available as an alternative to packs containing multiple servings.

**Question 3 – Do you agree that consumers should routinely have easy access to small of half portions?**

Yes – Half portions should definitely be made available for both children and the elderly and those wishing to cut down calories. Portions are often excessive, especially takeaways with no clear guidance on how many servings are included.

**Question 4 – Should labelling at the point of choice apply to Scotland?**

Yes – Calorie labelling will help the consumer who is attempting to choose a less energy dense dish. The use of MenuCal should be encouraged but many businesses find it time consuming to input all their items and keep them up to date. Any system developed should be simple to understand for the business and the consumer.

**Question 5 – As a food business, would MenuCal help you to provide calorie labelling?**

Not applicable as not a food business

**Question 6 – As a food business, what additional support would you require to provide calorie labelling?**

Not applicable as not a food business

**Question 7 – Should calorie labelling at point of choice be made mandatory in Scotland?**

Yes – If it is not mandatory there will be little or no uptake from businesses. There would be no value in having a voluntary system as the competition in the sector is very fierce and with overprovision in many areas, it is believed that consumers would simply chose businesses which they perceive are giving the best value (large portions). This would put some businesses at a competitive disadvantage.

**Question 8 – Should any business be exempt from mandatory calorie labelling at the point of choice?**

No



**Question 9 – Where nutrition information is provided online and on printed materials should it be standardised in the way set out in the table above?**

Yes – Renfrewshire Council agree that there should be standardisation as this will be fair for business and best for consumers. Consideration should be given to a simple pictorial method of informing customers such as a traffic light system which could supplement the proposed layout. In addition, as there is no consistent portion size across the sector, some thought should be given to how consumers will be informed.

**Question 10 – Where nutrition information is provided online or on printed materials should it be mandatory that it is standardised in the way set out in the table above?**

Yes

**Question 11 – Which actions would change promotion and marketing practices to support healthier eating outside the home?**

Businesses dropping practices that encourage overconsumption, businesses positively marketing and promoting healthier choices, raising consumer awareness through the use of social marketing campaigns.

If other, please specify – Meal deals including water/fruit  
Children's menu including milk, water and fruit not including sugary desserts and drinks.

Businesses promoting a 'healthier options' section on the menu.  
No promotion of foods high in sugar, salt and fat.

**Question 12 – What type of actions could be taken to improve the food provided Out of Home in the vicinity of schools?**

Powers are currently limited and relate to Environmental Health considerations, however, if the Scottish Government are serious about tackling this issue there could be a wider role e.g. for planning and licensing as regulators, but this would require enabling legislation to be agreed. Were this to be taken forward then planning consultations could have a public health section and this would allow Environmental Health officers to comment on the public health impact of planning proposals.

Each local authority could be tasked with GIS mapping of food businesses in areas around schools to build evidence and data.  
Consideration could be given to how children can be encouraged to stay within school at lunchtimes.

Experience in Renfrewshire shows a marked increase in the number of restaurants or takeaways which traditionally catered for the night-time trade, now opening at lunchtime and marketing towards school children. This is not exclusively takeaways but restaurants too.

Consideration could be given to incorporating powers to enable restrictions in opening times as part of any changes to relevant legislation.

**Question 13 – Which of the following should be changed to improve food provided for children?**

Less reliance on menus specifically for children, provision of children's portions from adult menu items, increased use of vegetables and fruit in dishes, reduced reliance on bread/fried products, reduced reliance on chips, plain water and milk offered as standard options, reductions of drinks with added sugar, Reduction of high sugar desserts and reduction of confectionary and chips.

If other, please specify – Set menus including a dessert, may encourage a dessert when one isn't needed.

**Question 14 – Do you agree that recognition schemes are an effective means of supporting healthier eating in the Out of Home sector?**

No – currently the Healthy Living Award has only a small uptake and many takeaways cannot benefit. Award schemes require to be incentivised and/or mandatory as many businesses will simply opt out and therefore the scheme will become ineffective.

**Question 15 – Do you agree that the following actions should be adopted by the public sector?**

Yes – the public sector in Scotland must set an example and promote healthier choices. Healthy eating and healthy food provision should be to the fore across all Central and Local Government agendas. All food from Council owned or run establishments should meet minimum standards.

**Question 16 – not applicable.**

**Question 17 – Please outline any other comments.**

Key to success of this is National Policy and Coordination. Structural changes are needed to achieve sustained behaviour e.g. reducing price of healthier food, increasing availability and portion control and reformulation.

There must be a whole system approach with all partners involved.

It will be impossible to expect caterers to voluntarily offer a set proportion of healthy options, many do not have the knowledge or skills, and many see it as the customers right to choose what they want. Whilst this is correct, every effort must be made to ensure there are options that allow people to choose not to eat fatty foods, high sugar foods etc.

Environmental Health officers are ideally placed to offer advice on healthy eating, reformulation etc, However, sufficient resources would be required to successfully deliver an effective programme of change as this is not currently a statutory function.

Choosing interventions that are appropriate for the local authority is key. Initiatives that may work with businesses are healthier catering guidance for different types of businesses e.g. Federation of Fish Fryers and healthier frying techniques, healthier catering workshops, salt and sugar reduction e.g. pizza, salt shakers, recipe reformulation, advice on portion reduction. Calories on menus/use of MenuCal may be a step in the right direction, however, it is imperative that the information given is meaningful and accurate. There may be resistance from businesses if this is not mandatory.

It will take a combination of legislation, education and support mechanisms for food businesses to ensure they understand and achieve the goal of offering a certain proportion of healthier options. Some elements of this could be incorporated into a scheme of licensing food premises. There could be some financial benefits for businesses offering healthier alternatives e.g. reduced licence fees.

Subsidised simple nutrition training could be offered to caterers (simpler than the REHIS Elementary Food Hygiene and more practical). This could be part of a licence condition and with Elementary Food Hygiene requirements.

Awareness raising/training for Elected Members/key decision makers in the local authority environment would also help to ensure everyone sees the full picture in terms of costs/benefits.