

APP/Z0116/W/15/3131829

Closing Statement from  
**Say No to McDonald's in Fishponds Group**

1 May 2017

CONTENTS

**Summary**

**1. Some procedural concerns**

- 1.1 Inappropriate framing of NoMacInF
- 1.2 Disrespect for the community voice
- 1.3 Incomplete cross-examination opportunities

**2. Obfuscation of evidence**

- 2.1 The pied piper of calories
- 2.2 Masquerading engagement with the community
- 2.3 Suffer the children
- 2.4 The Precautionary Principle

**3. Traffic safety**

- 3.1 Road safety
- 3.2 Drive through spew - impact on air and health

**4. Health Matters**

- 4.1 DM 10: Health impacts
- 4.2 Health Impact Assessment
- 4.3 The need for independent evidence not paid-for testimony

**5.0 Save our community from Big Mac's footprint**

## Summary

We have been told at this Inquiry that 'The law makes no allowances, it recognises only fact'. We believe in law, democracy and the right and responsibility of communities to protect their health and development.

Based on the facts and opinions presented we believe the Inspector should reject McDonald's reworked proposal to build what we are now told is an 85 seater, two-storey drive through restaurant in Fishponds because, in our view:

- 1) Even after having modified their plans without any accompanying rationale, the McDonald's scheme remains inappropriate to a site so close to family homes, and to a location in the midst of a densely populated residential area with 15 schools, high percentages of childhood obesity and multiple deprivation.
- 2) Neither the original and nor the latest version comply with Bristol's Local Plan Development Management Policy 10 Food and Drink Use and the Evening Economy (DM10) since the proposed premises are within a 400 metres of schools and places where young people gather. DM 10 calls for a full Health Impact Assessment in such case, which has not been performed.
- 3) The plan does not comply with DM33: Pollution Control, Air Quality and Water Quality since it certainly will do nothing to mitigate existing high levels of pollution.
- 4) The appellants have failed to satisfy the traffic safety requirements which resulted in the rejection of their original application by Bristol City Council.
- 5)** Furthermore there is well documented evidence of the breadth, depth and consistency over time of local opposition to the proposed development.

This said we have witnessed some very clever manipulations over the last 10 days and are very concerned about 'fake facts' influencing the outcome of this hearing. Our closing statement will seek to clarify our concerns to counter the obfuscations presented by the appellants.

## **1. Some procedural concerns**

### **1.1 Inappropriate framing of NoMacInF**

McDonald's regular advocate, Mr Pereira has characterised the Say No to McDonald's in Fishponds Group (NoMacInF) as a mere 'Action Group'.

It is not a small, single issue NIMBY group of 'middle-class mums against chips'. It is an extraordinary collection of people of all ages and from all walks of life, some whom have lived in Greater Fishponds all their lives, some more recent arrivals, who have come together over the last three years to share their anxieties about the McDonald's proposal and to assemble evidence in support of their concerns.

The group has been meeting regularly since 2014. At the first gathering there were 80 people, and the second 200. At our most recent public meeting in February more than 80 people turned up to find out more about the latest iteration McDonald's plans. And more than 150 turned out with their children in a colourful display of disapproval against McDonald's on 25 March.

Our activities have been well recorded in local radio, TV and press over the last 3 years. Some members have gone on to develop Fishponds Planning as part of the Greater Fishponds Neighbourhood Partnership, others have pioneered social and cultural activities for local adults and children open to all comers, others have created projects to improve the local environment from litter abatement to community gardening.

As has been shown, and should not be forgotten, 495 submitted objections to the Bristol City Council in the first place; 1,667 signed an online petition. Another 86 supplied objections in advance of the Inquiry and more than 30 submitted written or oral evidence to the Inquiry including local councillors and MP on an almost daily basis.

The McDonald's plan galvanised local residents as Bristol East MP Kerry McCarthy (Labour) and Cllrs Mhairi Thelfall (Labour, Eastville) and Lesley Alexander (Conservative, Frome Vale) have testified. Meanwhile some 673 people joined a Facebook group to keep in touch and share information between meetings. That a dozen of them offered their expertise in compiling evidence in support of the issues raised by their neighbours in opposition to the initial application, is simply a sign of the strength and commitment of those who have come forward to defend local interests.

Numerous others supplied additional objections in advance of the Inquiry and more than 30 submitted written or oral evidence to the Inquiry on an almost daily basis.

It should also be noted that many people took time off work or used their annual leave to attend the inquiry. Their interventions may have been disrupting occasionally, but it just goes to show the incredulity they felt about some the claims being made by McDonald's witnesses who have no real knowledge of the area and certainly showed little sympathy for local opposition to their scheme.

### **1.2. Disrespect for the community voice**

Community members who have attended sessions of the inquiry have repeatedly expressed their feeling that local opinion has been treated with contempt by McDonald's; they were particularly unimpressed by the self-serving testimony of McDonald's men Messrs Birrell and Hemstock.

We have been told that 'evidence' is important but that there is no evidence to support our genuine concerns as local residents, parents and grandparents who live daily with the dangers of Fishponds Road and who care deeply for the prosperity and community spirit that exists in Greater Fishponds, all of which we believe is put at risk by the size and impact of this proposal.

It has to be admitted that McDonald's last minute appeal against the Council's refusal of planning application, exacerbated local ill-feeling about their plans. They have stirred up a resistance to what can only be described as the cultural imperialism of their brand image - which extends to their inability of spell 'drive-through' in correct English. We have witnessed the arrogance of their approach.

Some who may have been less concerned about the fact it is a McDonald's but were unhappy about the scale of the proposal and its potential pulling power in terms of traffic, are now cynical about the brand and its representative, apparently so desperate to prove that they aren't as close to schools and youth clubs as we demonstrated that they changed the rules after agreement had been reached on figures on site.

### **1.3 Incomplete cross-examination opportunities**

This closing statement has been prepared without the benefit of cross-examining McDonald's traffic expert Allan Mendelsohn or McDonald's planning consultant Matthew Carpenter of Planware Ltd. Traffic is a particular concern in this instance.

We also believe that more information is needed on McDonald's expansion plans for 300 more restaurants in UK over the next few years. Moving into more residential neighbourhoods and the proximity of schools raises many serious public health issues.

## **2. Obfuscation of evidence**

### **2.1 The pied piper of calories**

McDonald's global advertising budget is 2.4 billion (more than the budget of the WHO) and £500+ million in UK alone. Regular and social media are dominated by their advertising. Their adverts aim to shape perceptions and choices, especially among children.

Their hired experts emphasised over and over again that McDonald's offers an increasing number of choices, many lower in calories than their traditional fare. However, no evidence or data was provided as to what people do choose, and most importantly how many calories most people ingest. McDonald's has this information but they prefer not to share it.

The company is largest distributor of toys in the world. Children are primed to want the topical toys that go with the 3+million 'Happy Meals' they sell each day.

Mr Birrell claimed that McDonald's go above and beyond what is required off them when it comes to product placement or advertising to children and vulnerable groups on television. He seems to forget that the 9pm watershed is a regulation with which all broadcasters and advertisers must comply, and there are rules governing product placement on children's programmes.

It is clear that his company is not acting out of the kindness of its heart since it has spent billions ensuring that its 'golden arches' and its ubiquitous clown are firmly imprinted on the psyche of children everywhere - even in China before McDonald's had gained a foothold on the mainland.

However, they have no compunction about advertising on hoardings and bus stops close to schools, nor of marketing techniques like children's sport sponsorships, which keep their brand firmly in the forefront of youthful consciousness. 'Pester power' does not emerge from a vacuum - it is a carefully devised and deployed marketing technique aimed at young people, and the younger the better.

If childhood obesity is a condition likely to extend into adulthood, so is the brand loyalty with which McDonald's groom their target market.

## **2.2 Masquerading engagement with the community**

Mr Pereira even suggested that, as a draw for young people the restaurant and its free wifi should be regarded as a public good, yet that very aspect of the scheme is what is likely to destroy youth club activities in the area.

McDonald's 'engagement with community' is a masquerade; the underlying imperative is always commercial. And that also includes undermining any local competition they may encounter. The announcement during this Inquiry that McDonald's are to roll out home deliveries from June of this year must have brought fresh worries to the local traders who currently offer that service in Greater Fishponds.<sup>1</sup>

The size and scope of McDonald's iconic brand would transform the 'feel' of Fishponds and threatens to kill off the existing fast food outlets and cafes, as well making life so much more unpleasant for residents of Lodore Road, and so much more inconvenient for those who live in Drummond Road, Dunkirk Road and Midland Terrace. Their aspect onto Fishponds Road will be dominated by the garish 'golden arches', and their access to the arterial road will be severely impeded.

## **2.3 Suffer the children**

In rejecting a 2011 appeal by Dominos Pizza Ltd against refusal of planning consent by the London Borough of Barking & Dagenham for an outlet 'within about 5 minutes walk from the (Parsloes Primary) school', the Planning Inspector acknowledged that 'nutritional qualities of Domino's Pizzas differ from other takeaway foods as they are oven baked and low fat cheese is an option' and 'the appellant's business model does not include children's portions or toys'.

Nonetheless he turned down the appeal in deference to the local authority's 'strategy to tackle obesity in the Borough' even though Dominos were willing 'to accept a condition requiring its counter service to close between 15.00 hours and 16.30 hours each afternoon on schooldays'.<sup>2</sup>

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<sup>1</sup> <http://www.bristolpost.co.uk/whats-on/food-drink/mcdonalds-finally-launching-delivery-service-35968>

<sup>2</sup> (11 February 2011 Appeal Ref: APP/Z5060/A/10/2136264 233 Heathway, Dagenham, Essex RM9 5AN)

We have had no such offer from McDonald's, who do offer children's portions and give away toys. Yet the appeal site in Fishponds is far closer to the madrassa and Stepping Stones Nursery and as near as makes no difference to Bristol Metropolitan Academy, St Matthias Pupil Referral Unit and Fishponds Church of England (Primary School) Academy all of which have health earning policies as we have demonstrated.

In our view the Inspector should not dismiss the proximity of Stepping Stones Nursery (307 metres) to the appeal site given that 24.3% of 4-5 years olds in its Eastville catchment area are considered obese. (Compare this with the London Borough of Tower Hamlets, where I lived for 16 years. The old 'East End' has long been recognised as an area of multiple deprivation, yet the national child measurement programme found that only 13.7 per cent of 4-5 year olds, and only 20% of the entire population, were obese).<sup>3</sup>

We are well aware that McDonald's claim to be a 'family restaurant' and promote themselves as an ideal venue for children's parties. We've all been there - and when the party-goers arrive they tend to come in flotillas of family cars at the allotted time. In evidence about traffic conditions we have heard nothing about this style of traffic congestion.

## **2.4 The Precautionary Principle**

As we have made clear we believe that with such a massive controversial development the Precautionary Principle should come into play. Where a development is considered to bring potential harm alongside any alleged benefits, it is incumbent upon the proposers to demonstrate that it will not cause harm. This is a matter of social responsibility which we do not believe McDonald's have demonstrated.

It is axiomatic that assessment of risks must ALWAYS consider the worst case non-freak scenario, in order to design safeguards that will protect people who may be less than perfect in their behaviour and lacking in skills and competences.

This is also reflected in the 'New' sentencing guidelines for offences under a range of health and safety related legislation which provides detailed guidance on how risks and their assessments should be judged.

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<sup>3</sup> <http://www.towerhamlets.gov.uk/Documents/Planning-and-building-control/Strategic-Planning/Local-Plan/Evidence-base/A5-Takeways.pdf>

The appellants are surely aware that these guidelines link the fines to be imposed on companies found to be in breach of these various regulations to the gross turnover of the organisation involved, and there have already been a number of fines of more than £2 million.

### 3. Traffic safety

#### 3.1 Road safety

The appellants have failed to show that their design of traffic flows, and vehicle tracks (particularly of HGV) in relation to pedestrian routes and proximity to doors complies with requirements for safety of transport on site, either in relation to general principles or to details such those described in for example the Freight Transport Association's publication 'Designing for Deliveries'.

We have demonstrated that the number of **reported** road traffic accidents in the vicinity of the site is vastly greater than those that appear in the police records, both as a result of the fact that there is in most cases no requirement for personal injury accidents to be reported to the police.<sup>4</sup>

The same report also provides evidence to prove our assertion that there is a 'pyramidal' ratio linking numbers of fatal accidents to a larger number of serious accidents and to a much larger number of injury accidents (and to a very much larger number of 'damage only' incidents such as the 4 incidents out of many at the junction of Brentry Road and Fishponds Road that were photographed in a period of only 4 months), as well as to an even greater number of 'lucky' near hits.

The Dept for Transport figures for **reported** road casualties also on p.1 and p.4 of the statistics report shows that for every 1 fatal accident there are over 10 serious injury accidents and approximately 150 'minor injury' accidents.

We do not believe that the appellants have proved the assertions on which they have based their arguments regarding the safety of the roads in this vicinity, nor, therefore, their assertions that the hundreds of additional drivers that their development would create, would have no

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<sup>4</sup> See penultimate paragraph on p1 of the Department for Transport Statistical release 30 June 2016).

(or very insignificant) detrimental effects on road safety at this location, nor that their proposals would cause an improvement.

Frequent experience of drivers in this area show that the many examples of bad and dangerous driving behaviour shown in Mr Fallon's video evidence are in fact typical of events at this location, particularly when they are delayed by congestion.

### **3.2 Drive through spew - impact on air and health**

We have been working to help achieve the local authority's plans and policies for a healthy city with clean air zones. As we have pointed out surveys as part of trans-European study about clean air are about to be undertaken on the Fishponds Road. If McDonald's succeed they will be worthless.

Under the National Planning Policy framework consideration must be given to 'the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.'

Given the evidence we have presented the Inspector may well consider that an Environmental Statement should have been required of this application under the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 (Statutory Instrument 1999 No 293) to assess its impact on the health and well being of the local population.

The Government's National Planning Policy guidance stresses the importance of also considering air quality including levels of 'particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>). As well as having direct effects, these pollutants can combine in the atmosphere to form ozone, a harmful air pollutant (and potent greenhouse gas) which can be transported great distances by weather systems.'

The Guidance goes on 'It is important that the potential impact of new development on air quality is taken into account in planning where the national assessment indicates that relevant limits have been exceeded or are near the limit.' And it requires local authorities 'to regularly review and assess air quality in their area. These reviews identify whether

national objectives have been, or will be, achieved at relevant locations, by an applicable date.<sup>5</sup>

Government guidance continues: 'When deciding whether air quality is relevant to a planning application, considerations could include whether the development would significantly affect traffic in the immediate vicinity of the proposed development site or further afield. This could be by generating or increasing traffic congestion; significantly changing traffic volumes, vehicle speed or both; or significantly altering the traffic composition on local roads.'<sup>6</sup>

Bristol City Council's 2020 target for improving air quality locally is unlikely to be met if this appeal is granted. Quite apart from the additional traffic a drive-through restaurant will generate, McDonald's use of recycled cooking oil in its delivery vehicles produces more particulate matter than convention diesel fuel.

As it is more than 500 new homes are being developed along or near Fishponds Road bringing yet more traffic onto the road, increasing risk and the use of residential back streets as rat runs to avoid congestion on the A432.

To allow this appeal would be to waste the public funds which are going into European Union Clean Air study and the City Council's aim to create clean air zone on Fishponds Road.

## **4. Health Matters**

### **4.1 DM 10: Health impacts**

Health is referenced in many elements of the National Planning Policy Framework. Achieving the appropriate balance and mix of uses is seen as critical in achieving healthier outcomes in 'town centres'. Health is also referenced in PPG24: Planning and Noise (considering the potential for development noise to impact on health).

While the National Planning Policy Framework planning process undoubtably skews the system in favour of developers, its also acknowledges the importance of local community needs and engagement, especially the development of local plans. Fishponds Planning has been engaged in the process of outlining a Local Plan, at a

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<sup>5</sup> Planning Practice Guidance: Air Quality Paragraph: 001 Reference ID: 32-001-20140306

<https://www.gov.uk/guidance/air-quality--3>

<sup>6</sup> Planning Practice Guidance: Air Quality: Paragraph: 005 Reference ID: 32-005-20140306

time when local neighbourhood partnerships are losing their budgets. That puts the community at an even greater disadvantage when taking on a multi-national giant like McDonald's with its access to almost unlimited funds.

We have been told that "The law makes no allowances, it recognises only fact". Yet it is a fact that this proposal does not comply with Bristol's Local Plan Development Management Policy 10 Food and Drink Use and the Evening Economy (DM10) since there are clearly premises where young people gather within a 400 metres of the site. Nor does it comply with DM33: Pollution Control, Air Quality and Water Quality since it certainly will do nothing to mitigate existing high levels of pollution.

#### **4.2 Health Impact Assessment**

Health is referenced in many elements of the National Planning Policy Framework. Achieving the appropriate balance and mix of uses is seen as critical in achieving healthier outcomes in 'town centres'. Health is also referenced in PPG24: Planning and Noise (considering the potential for development noise to impact on health).

While the National Planning Policy Framework planning process undoubtedly skews the system in favour of developers, it also acknowledges the importance of local community needs and engagement, especially the development of local plans. Fishponds Planning has been engaged in the process of outlining a Local Plan, at a time when local neighbourhood partnerships are losing their budgets. That puts the community at an even greater disadvantage when taking on a multi-national giant like McDonald's with its access to almost unlimited funds.

It remains our view that a **full health impact assessment** (HIA) of this development should have been required, to include all dietary and amenity (e.g., air quality, noise, sanitation) as well as traffic safety and social violence considerations.

First, we believe this should be required based on the proposed development's proximity to schools and other places where young people gather. Application of the Precautionary principle should certainly consider facilities at 400m in and not out and demand such an assessment.

Second, through this hearing we have come to understand and quite frankly fear the power and potential influence of a Multinational giant like McDonalds in our community. McDonald's massive global reach and capacity to dominate communication and economic marketplaces represents a significant threat to business and social life of our community.

## NoMacInF Closing Statement

We strongly believe that the size of this project in Fishponds relative to what now exists and its inevitably far reaching visible signage and advertising will undoubtedly change the social and cultural realities of the community for the rest of our lives and our children's lives in our community. It will disrupt and impact on all gathering places of young and old along this stretch of the road, in pubs, clubs, parks, community centres and on the street. We do not believe this impact will be positive but no-one can be sure without doing a thorough impact assessment.

Such assessments need to be undertaken before any permissions are granted. This HIA should be in accordance with council standards and requirements and include community input but be conducted by independent experts and paid for by the applicant. A study such as the one about to commence in Easton and Lawrence Hill should yield information that will help Fishponds and the rest of Bristol develop in healthier, wealthier and wiser ways. Such pity it not was not conducted in Fishponds before this inquiry took place.

We would have serious concerns about McDonald's conducting such an HIA given that their health expert testimony repeatedly misrepresented findings of major studies and denied the validity of scientific evidence showing strong evidence of negative impacts on health related to the proximity and concentration of fast food restaurants and outlets.

We consider it significant that Mr Pereira declined to cross examine our health and nutrition witnesses, men of undisputed professional experience who gave their service to the local community free of charge despite our offers of fees, which speaks to their integrity and commitment to the public good. McDonald's are simply unwilling to appreciate the public health argument that the associations between some risky behaviours and ill-health are often evident long before causal links are directly confirmed (think about smoking and some forms of drug abuse), that treatment is not prevention and that prevention is more cost effective, especially with non-communicable diseases.

There appears to be a pattern here. Last summer McDonald's dropped their appeal about siting a similar drive-through close to a secondary school in Kenton, Newcastle-upon Tyne rather than face similar testimony from one of the country's leading nutritionists Dr Ashley Adamson, professor of Public Health Nutrition at Newcastle University and Dr William Lamb, Consultant Paediatric Diabetologist at a Newcastle Hospital.

In the face of the all evidence that exists about healthy food and balanced diets they too were sceptical about a GP like Dr Capehorn being willing to go on the public record and say, 'I do not believe there is anything unhealthy about the McDonald's menu'.

#### **4.3 The need for independent evidence not paid-for testimony**

We would invite the inspector to discount the testimony of Dr Capehorn. How could anyone trust a 'hired gun' who is prepared to trumpet the assertions of his client as if they were gospel, without conducting his own independent research?

Compare his credibility with that of Professor Caraher whose years of research has been conducted utterly independently of any funding from industry. Or the testimony of Dr Apfel whose lifetime as both general practitioner and with the World Health Organisation in the protection of the vulnerable from the predations of hazards merchants whose commercial imperatives are in conflict with public health considerations.

Who knows what fees Dr Capehorn is able to charge for his testimony, given his admitted commercial sideline in weight loss products. Perhaps there is significance the fact that his outfit is called the Rotherham Institute FOR rather than AGAINST Obesity.

Dr. Capehorn appears not to have read the Tower Hamlets policy document<sup>7</sup> outlining its Local Development Framework Core Strategy supports 'opportunities for healthy and active lifestyles through planning. This includes reducing the over-concentration of any use type where this detracts from the ability to adopt healthy lifestyles.' It make clear that 'There is a body of evidence detailing the links between obesity and the abundance of hot-food takeaways, particularly in areas of socio-economic deprivation.'

This is just one example of the wealth of evidence that supports our contention about the influence of fast food outlets on school children's diet and the health of the wider community. If Capehorn had condescended to read the evidence supplied by Drs Apfel and Caraher he would be more aware of the plethora of evidence of the link between deprivation, fast foods and ill health - which, is not confined to obesity.

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<sup>7</sup> <http://www.towerhamlets.gov.uk/Documents/Planning-and-building-control/Strategic-Planning/Local-Plan/Evidence-base/A5-Takeways.pdf>

He chose to focus on obesity - a condition from which he has earned a healthy living. Indeed if his patients and clients took note of his 'evidence' to the Inspector they would have no use for his weight-loss products. However he appears not to have studied, for example

- White et al. (2004) Do Food Deserts Exist? A Multi-Level Geographical Analysis of the Relationship between Retail Food Access, Socio-Economic Position and Dietary Intake. Food Standards Agency, London; Lake and Townshend (2006) "Obesogenic environments: exploring the built and food environments", in *Journal of the Royal Society for the Promotion of Health*, 126:6, pp262-67
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- Caraher, Lloyd, and Madelin (2007) *Fast-Food in Tower Hamlets*. City University, London
- Maziak, Ward and Stockton (2007) "Childhood obesity: are we missing the big picture?", in *Obesity Review*, 9, pp35- 28
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- Bagwell and Doff (2009) *Fast-Food Outlets in Tower Hamlets and the Provision of Healthier Food Choices*. London Metropolitan University, London
- Bowyer, S., Caraher, M., Eilbert, K. and Carr-Hill R. (2009). *Shopping for Food; Lessons from a London Borough*. *British Food Journal*, vol 111, issue 5, pp 452-474
- Marmot (2010) op. cit.; Cummins and Macintyre (2006) "Measuring outcomes from active transport interventions for children", in *International Journal of Epidemiology*, 25, p100-104
- Caraher, M., Lloyd S, Lawton J, Singh G, Horsley K, and Mussa F. (2010) *A tale of two cities: A study of access to food, lessons for public health practice*. *Health Education Journal*, Jun 2010;. 69, 200 - 210 .
- Fraser et al. (2010) "The Geography of Fast Food Outlets: A Review" in *International Journal of Environmental Research and Public Health*, 7, pp2290-2308
- 43. Davis and Carpenter (2009) op. cit.
- Currie et al. (2010) "The effect of fast-food restaurants on obesity and weight gain" in *American Economic Journal: Economic Policy*, 2:3, p32-63
- Howard, Fitzpatrick and Fulfrost (2011) "Proximity of food retailers to schools and rates of overweight ninth grade students: an ecological study in California" in *BMC Public Health*, 11:68
- Lloyd S, Lawton J, Caraher, M, Singh G, Horsley K, and Mussa F. (2011) *A tale of two localities: Healthy Eating on a restricted income*. HEJDOI: 10.1177/0017896910364837.

## NoMacInF Closing Statement

- NHS Tower Hamlets (2011) Tackling the Takeaways: A new policy to address fast-food outlets in Tower Hamlet. (Dr Foster Intelligence & Land Use Consultants) <http://www.towerhamlets.gov.uk/Documents/Planning-and-building-control/Strategic-Planning/Local-Plan/Evidence-base/A5-Takeways.pdf>
- NHS Sussex & Brighton & Hove Councils (2011) Hot-food takeaways near schools; An impact study of takeaways near secondary schools in Brighton and Hove

Perhaps he should take few of them with him when he next flies to Australia to offer his endorsement to another dodgy commercial weight loss product.

He repeatedly misrepresented findings of major studies and denied the validity of scientific evidence showing strong evidence of negative impacts on health related to the proximity and concentration of fast food restaurants and outlets.

Clearly McDonald's pay no heed to the very evidence that has been the basis of the Bristol City and many other councils' current policies. It has been the stimulus for increasing the distance requirements to 800 metres as already adopted in Brighton, Newcastle, NE Lincolnshire and Rotherham, in an effort to better make unhealthy choices harder, and so to better protect children from easy access to fast food chains.

Dr. Capehorn, repeatedly stated that societal level interventions like Bristol City's policies to protect the health of the local community are impractical, unachievable and lack causative evidence. He said all that is needed are individual level interventions focused on education and taking personal responsibility for choices. We were very surprised that his views were NOT evidence-based but reflected a strong and classical 'hazard merchant framing' that emphasises individual responsibility (as for for tobacco use, guns, fast food choice) and denies the need for societal protections from hazardous products and behaviours.

This approach seeks to deny or minimise the both any negative effects of their products and the impact of their communications (advertising and marketing) strategies.

His arguments, about individual responsibility do not even accurately reflect the evidence he quotes and does not acknowledge the many peer-reviewed studies presented by Professor Caraher showing the many negative cardiovascular, diabetogenic and obesogenic effects of proximity to fast food restaurants like the proposed McDonald's drive-through in the heart of Fishponds.

This McDonald's 'expert' evidence represents an archaic medical paradigm that has been repeatedly debunked by large and reputable

studies, some of which he even selectively quotes (Our emphasis added):

*'5.1.1. Common sense may suggest that prevention is better than treatment. **However**, when it comes to the obesity epidemic this will always remain difficult because of the many different causes of obesity.*

**'The Foresight Report suggests there are over 100 different factors involved in why we as individuals or we as a society are becoming more obese, and it is impractical, and unachievable, to tackle all these different factors.'**

**'The McKinsey Report further supported this, when their independent review demonstrated that public health interventions has relatively small amount evidence, and an overall low impact on the obesity epidemic. (see Appendices K&L).'**

**'5.1.2. However, obesity can be managed at an individual level.'**

In actuality the key findings of Foresight study, for example, shows that

'Although personal responsibility plays a crucial part in weight gain, human biology is being overwhelmed by the effects of today's 'obesogenic' environment, with its abundance of energy dense food, motorised transport and sedentary lifestyles.

...

'The evidence (they list 100's of references) is very clear that policies aimed solely at individuals will be inadequate and that simply increasing the number or type of small scale interventions will not be sufficient to reverse this trend.

...

'Significant effective action to prevent obesity at a population level is required. Foresight's work indicates that a bold whole system approach is critical - from production and promotion of healthy diets to redesigning the built environment to promote walking, together with wider cultural changes to shift societal values around food and activity.<sup>8</sup>

The McKinsey Report, through a review of 500 intervention trials around the world, identified 74 potential interventions that could be used to address obesity. These include

- subsidised school meals;
- urban design that encourages walking;
- better nutritional labelling;
- restrictions on the advertising of high-calorie food and drinks; and
- fiscal measures.

All the evidence shows that relying on knowledge about obesity and willpower is not enough to offset the evolutionary instinct to overeat. People need help, and that means changing the environmental forces shaping their decisions, by, say, reducing standard portion sizes, altering marketing practices, and designing cities and educational establishments to make it easier for people to exercise or be active.

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<sup>8</sup> October 2007. Department of Innovation Universities and Skills. Tackling Obesities: Future Choices – Summary of Key Messages

## **5.0 Save our community from Big Mac's footprint**

We are not convinced that McDonald's have successfully proved that case that it is appropriate to overturn the City Council's original decision. All that we have heard has increased our concern that this is not only an inappropriate location for so large and disruptive a development, but that it will have an entirely negative impact of the health, well-being and development of a thriving local community.

Perhaps as pertinent is the drive-through's proximity to residential properties; family homes that will have to bear the brunt of noise, fumes, litter and anti-social activities associated with so large an enterprise. It will bring increased noise, traffic safety hazards and other disturbances that will result in significant harm to the amenity of the occupiers of nearby residential properties, especially those directly adjoining the site.

The proposed introduction of a drive-through and A5 use would significantly increase the intensity of the use of the site over its recent historic uses. This will result in increased air pollution and vehicle movements into, out of and around the site in the early morning, evening and late at night.

The size and brand recognisability of this new drive through will undoubtedly undermine any local competition they may encounter, The announcement during this Inquiry that McDonalds's are to roll out home deliveries from June of this year must have brought fresh worries to the local traders who currently offer that service in Greater Fishponds.<sup>9</sup>

The size and scope of McDonald's iconic brand would transform the 'feel' of Fishponds and threatens to kill off the existing fats food outlets and cafes, as well making life so much more unpleasant for residents of Lodore Road, and so much more inconvenient for those who live in Drummond Road, Dunkirk Road and Midland Terrace. Their aspect onto Fishponds Road would be dominated by the garish 'golden arches', and their access will be severely impeded.

Listening to McDonald's contributions to this Inquiry over the last 10 days put me in mind if an image used by Mohammed Mossadegh when he addressed the United Nations in October 1951. Speaking for the

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<sup>9</sup> <http://www.bristolpost.co.uk/whats-on/food-drink/mcdonalds-finally-launching-delivery-service-35968>

## NoMacInF Closing Statement

impoverished people of Iran, he derided the British for trying to 'persuade world opinion that the lamb had devoured the wolf'.

Iran's first democratically elected Prime Minister had come to challenge Britain's imperial rape of Iran's natural resources, in particular its oil reserves. Within two years he was ousted in a coup instigated by the CIA and the British secret service. We are still living with the consequences of that ill-fated conspiracy.

It has often felt as if the local community, rather than a multi-national company with an annual marketing budget of \$24 billion, twice the annual budget of the World Health Organisation, are the ones at fault here. And we and our children shall certainly have to live with the consequences if our legitimate concerns are not heeded.

In McDonald's we have a voracious wolf with a global reach that delights in enticing young people into its clutches, providing a colourful ambience with all mod cons, cheap food and free wifi. They seem to think they are the solution to society's ills. That is not the view of the 2,000 people who have stood up in defence of local interests.

Not only do we want to keep the McDonald's footprint off Fishponds Road, we want to protect the integrity of Greater Fishponds, and the health and well-being of innocent children so easily captivated by the blandishments of Ronald McDonald.

**In conclusion it is our view that to allow this appeal would be to fly in the face of reason and decency.**

***Mike Jempson & Peter Tickner***  
for Say No to McDonald's  
in Fishponds grou