

NoFryZone4Kids

Philip Moyles
Chairperson, No Fry Zone 4 Kids Committee
Greystones,
Co. Wicklow.

26th August 2021

Re: No Fry Zone 4 Kids Submission to Draft Wicklow County Development Plan 2021 – 2027, specifically Chapter 10, CPO 10.14 – Proposed amendment to the wording.

My name is Philip Moyles and I am Chairperson of the No Fry Zone 4 Kids Committee based in Greystones Co. Wicklow.

I fully support CPO 10.14 in the draft county development plan and am suggesting that it is amended slightly to include “24 hrs a day, 7 days a week”. This is to ensure the objective is even more robust and adhered to as intended for future planning applications.

CP 10.14 Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fast-food/takeaway outlets^[1], including those with a drive through facility:

- Exclude any new fast-food/takeaway outlet from being built or from operating within 400m of the gates or site boundary of schools or playgrounds **24 hours a day, 7 days a week**, excluding premises zoned town centre;
- Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis;
- Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.

[1] For the purposes of RT17, "fast food/takeaway outlet" shall mean any outlet whose business will primarily be the sale of hot or otherwise prepared food that is high in fat, salt or sugar (such food being heated or prepared on the premises comprising of the outlet) for consumption on or off the premises comprising of the outlet.

Background

Our committee working with Greystones Municipal District Council campaigned vigorously in 2014 – 2016 to have an objective on the proximity of fast-food outlets to schools in the County Development Plan 2016 – 2022. In November 2016, a No Fry Zone Objective, RT17, was adopted into the Wicklow County Development Plan 2016 – 2022. This objective completed all stages of the process and was adopted by an overwhelming majority of Councillors, the publicly elected representatives of the County (25 for, 3 against, 2 abstain, 2 absent).

At that time, there was huge local and national interest in this objective, indicated clearly by the quantity, quality and source of submissions supporting this No Fry Zone Objective, summarised below;

- 372 written submissions of support were made between both public consultation phases.
 - 270 submissions from the public.
 - 21 from elected representatives – TDs, Senators and Councillors.
 - 22 from educational bodies – Board of Managements and Parents Associations. *
 - 58 from Healthcare experts & associations* (**Representing thousands of people*)
- Healthcare Experts such as
 - Royal College of Physicians of Ireland, (RCPI) Policy Obesity Group.
 - Association for the Study of Obesity on the Island of Ireland (ASOI).
 - Irish Heart Foundation. (IHF)
 - Irish Nutrition & Dietetic Institute (INDI)
 - Safefood
 - Healthy Eating Active Living Programme at the HSE.
 - Irish College of General Practitioners (ICGP)
 - Submission from Academia- DCU, DIT, NUI, TCD, UCC & UCD.
 - Individual Registered Dietitians, Nutritionists and healthcare personnel.

The Objective adopted by Wicklow County Council was the 1st of its kind in Ireland with a specific distance stated based on scientific evidence.

- The objective is explicitly clear in its wording regarding;
 - how close fast food outlets can be to schools – greater than 400 metres.
 - that it applies to new businesses and not existing ones,
 - the definition of what is fast food outlets are – those foods high in fat, salt & sugar.
 - the scope of business – those that primarily sell the above foods.
- Evidence based approach to Objective RT17
 - Studies show conclusively that obesity rates amongst school children increase by at least 25% when fast food outlets are located within 400metres of a school.
 - The distance was chosen based on the evidence gathered in studies over the past 10 – 15 years in the US and Scandinavia.

ASOI Award Recognising Promotion of Public Health in May 2018

Such was the impact of this, Wicklow County Council that the ASOI (Association for the Study of Obesity on the Island of Ireland) recognised the Council at their AGM conference in the Royal College of Surgeons on the 14th May 2018. The ASOI is the Irish representative body at the European Association for the study of Obesity (EASO) and the World Obesity Federation. The ASOI is one of the leading bodies in Ireland working to develop and better understanding of obesity through the pursuit of excellence in research and education, the facilitation of contact between individuals and organisations, the promotion of action to prevent and treat obesity across the Island of Ireland. The ASOI invited Wicklow County Council to their conference to recognise their contribution to public health through the translation of research evidence into practice on the ground through their No Fry Zone initiative. Councillor Derek Mitchell, as Cathaoirleach of Greystones Municipal District, accepted the award on behalf of Wicklow County Council.

Rationale for amending the wording of CPO 10.14.

I am very pleased to see that CPO 10.14 based on the original No Fry Zone Objective RT17 has been included into the Draft Wicklow County Development Plan 2021 – 2027.

I note that the wording of CPO 10.14 is the same as the original wording of RT 17.

Although I believe the wording is robust, it has proven not to be the case when a planning application 18/373 for a Four Star Pizza take-away was granted on the 1st of June 2018 in the Blacklion Retail Centre, just 150 metres away from the Blacklion Education Campus educating 1,850 students.

The granting of this planning permission at the time of Wicklow County Council being recognised as outlined above was particularly galling as it was granted in complete contravention (& spirit) of the No Fry Zone Objective, RT17.

The justification for granting application was that the outlet could not open until 5pm.

The justification is flawed for 3 main reasons;

- The outlet now opens at mid-day on Fridays as opposed to the original permission of 5pm.
- One of the key principles of the No Fry Zone around schools was to minimise the impact of constant advertising and promotion of unhealthy foods by the outlets. Even if the outlet was closed, the children passing the outlet were still being impacted by the advertising and promotion of this food, creating an obesogenic environment.
- The largest school in the education campus is the Temple Carrig Secondary school which has significant after-school activities, study groups, sports etc. which continue until 7.30 – 8pm so these teenagers have access this outlet which the objective was trying to protect.

The wording of RT 17 did not provide for flexibility around the time or day of its applicability. RT17 clearly and unambiguously states “Exclude any new fast-food/takeaway outlet from being built or from operating within 400m of the gates or site boundary of schools or playgrounds”. The key words are “**Exclude**”, “**built**”, “**operating**” “**within**” “**400 metres**” “**Schools**” and yet the planning permission was granted.

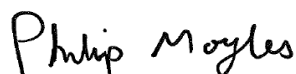
To ensure that this objective CP 10.14 is applied as intended – it should be re-worded to include 24 hours a day, 7 days a week as highlighted at the outset of this submission.

CP 10.14 Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fast-food/takeaway outlets^[1], including those with a drive through facility:

- Exclude any new fast-food/takeaway outlet from being built or from operating within 400m of the gates or site boundary of schools or playgrounds **24 hours a day, 7 days a week**, excluding premises zoned town centre.....

I would ask that the amendment to the wording of CPO 10.14 is included.

Your Sincerely,



Philip Moyles, Chairperson, No Fry Zone 4 Kids committee