



Additional Information from Objector (Walsall Council Public Health)

Licensing Sub – Committee

27 January 2025 at 10:30am

*Burger King, The Keyway Retail
Park, Willenhall, WV13 2QU*

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Burger King Willenhall – Late night refreshment application

**Increased access to unhealthy foods in a ward that has
one of the highest child obesity rates in Walsall**



Public Health's Representation

Burger King in Willenhall becoming a venue for late night food (11pm-5am) does not support the following licensing objective;

Protecting children from harm

Scene Setting & Evidence Base



Economy & Health



Balance



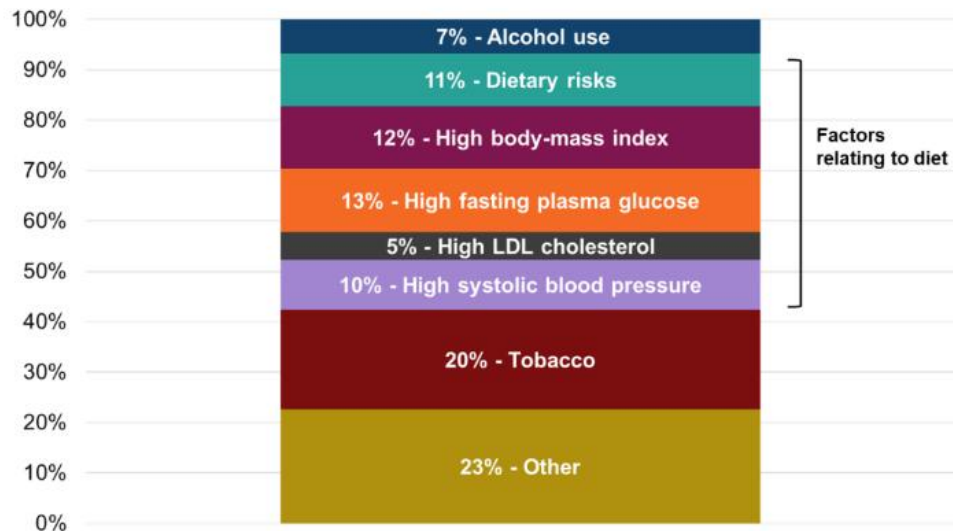
Reciprocal

Excess weight and poor diet account for about half of avoidable disability and early death

... our food environment is harmful to our health and wellbeing due to lack of access to affordable, nutritious and varied food and too much access to and marketing of cheaper foods that are high in fat, salt and sugar

Department of Health & Social Care (2024), Chief Medical Officers Annual Health in Cities Report. UK

Breakdown of disease burden for England in 2019 (as measured by Disability-Adjusted Life Years) that can be attributed to known risk factor



Global Burden of Disease Collaborative Network. Global Burden of Disease Study (GBD 2019). Seattle, United States: Institute for Health Metrics and Evaluation (IHME)

Dietary risk factors

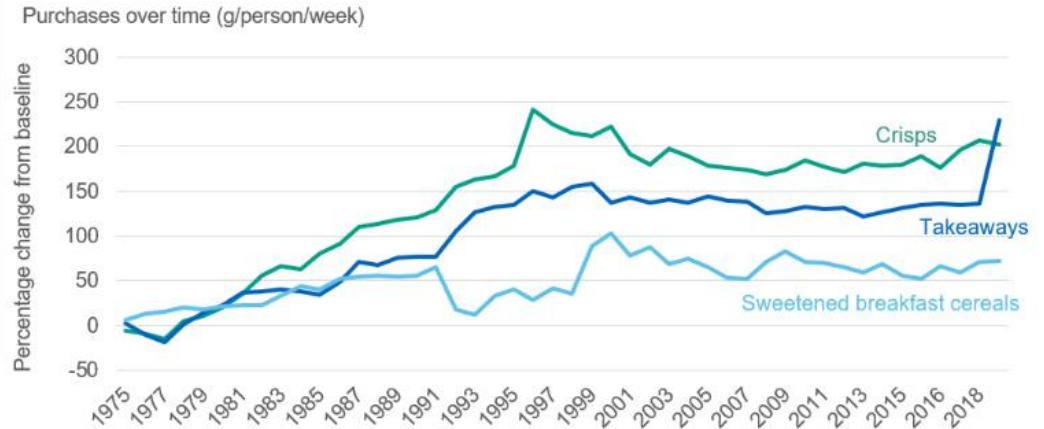
- Regular consumption of foods classified as high in fat, salt or sugar (HFSS) can cause weight gain, obesity and have negative health impacts.
- Fruit and vegetable consumption has well-established health benefits, while low consumption contributes to a number of chronic diseases including heart disease, stroke, cancer, and diabetes.
- Salt consumption has been long established as a risk factor for cardiovascular disease
- Associations between higher consumption of ultra-processed foods (UPF) and adverse health outcomes is concerning. While it is currently unclear whether these foods are inherently unhealthy due to processing or because a large majority are HFSS, most people are likely to benefit from reducing their consumption of many foods classified as UPF

Global Burden of Disease Collaborative Network. Global Burden of Disease Study (GBD 2021). Seattle, United States: Institute for Health Metrics and Evaluation (IHME)

The food industry has influenced the epidemiology of obesity

- Our appetites evolved in a world where calories were scarce. We therefore have a biological predisposition to energy dense foods. Energy dense, nutrient poor foods are cheap. Healthy, nutritious foods cost more per calorie than unhealthy options.
- The global food industry has increasingly focused on profitable foods high in fat, sugar and salt (HFSS). Over time, the affordability, advertising and availability of HFSS foods has increased, leading to an increase in consumption of calorie dense foods

Purchases of unhealthier foods over time, 1975 - 2018 (OHID)¹



DEFRA, OHID



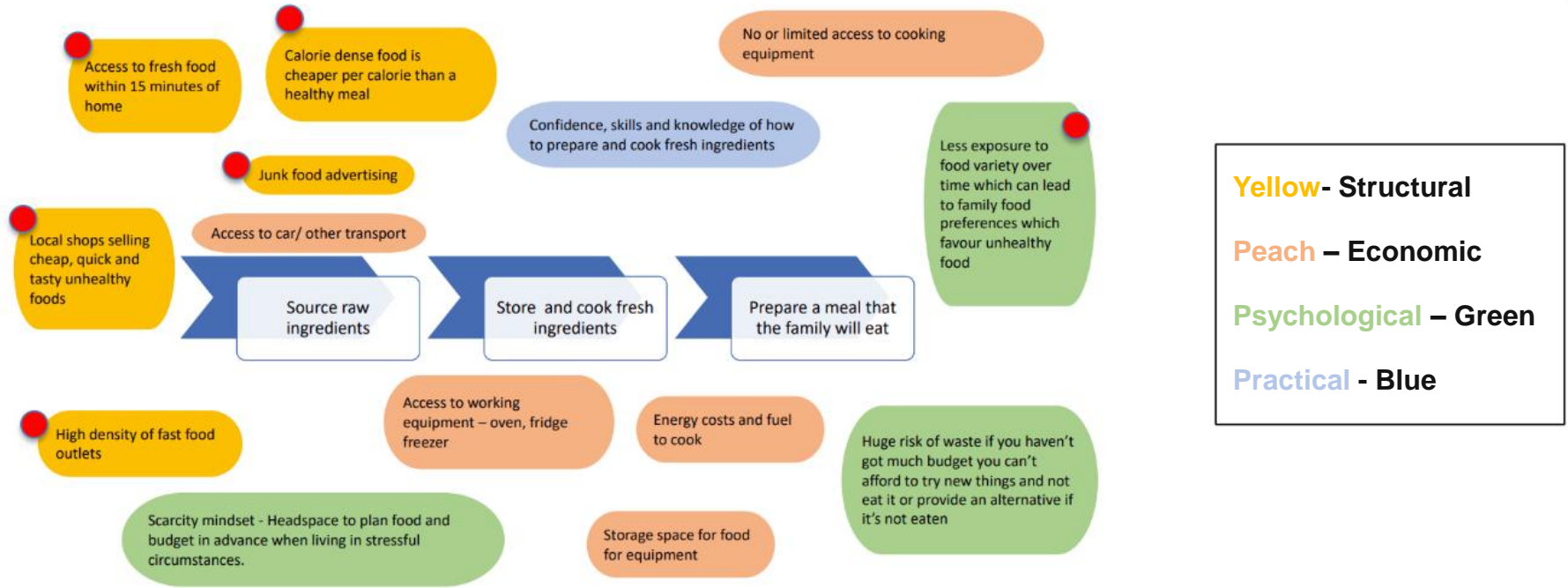
The relationship between adult and childrens health

1. The health of adults directly impacts the health of children
 - Adults living with overweight and obesity are more likely to have children living with overweight and obesity, and as a result dietary related ill-health
 - Adult ill-health impacts children

2. The health of our children will impact our future populations - Children with obesity are very likely to be adults with obesity and are also at a higher risk of developing NCDs in adulthood

Additive influences of maternal and paternal body mass index on weight status trajectories from childhood to mid-adulthood in the 1970 British Cohort Study (2015) by Silvia Costa, William Johnson and Russell M Viner.

Barriers to people in poverty eating a healthy diet – Its not simply a case of making a ‘healthy choice’



Yellow - Structural
Peach – Economic
Psychological – Green
Practical - Blue

OFFICIAL

Department of Health & Social Care (2024), Chief Medical Officers Annual Health in Cities Report. UK

Out of home foods

Evidence shows that;

- Two-thirds of meals purchased outside of the home exceed the recommended daily intake for a meal (600 calories)
- 60% of the population buy food out-of-home at least once a week; a small proportion of the population (11%) uses it, on average, at least once a day. A drive thru opening for longer will make Burger King even more accessible for our residents.
- On average, people living with excess weight purchase more calories from out of home fast food outlets.
- Approximately 75% of the calories purchased from fast food outlets were ordered in-person.



[How eating out contributes to our diets | Nesta](#)

Cumulative effect in our environment



Illustration created by Eoin Kelleher @EoinKr for © WHO, 2024



Burger Kings Marketing

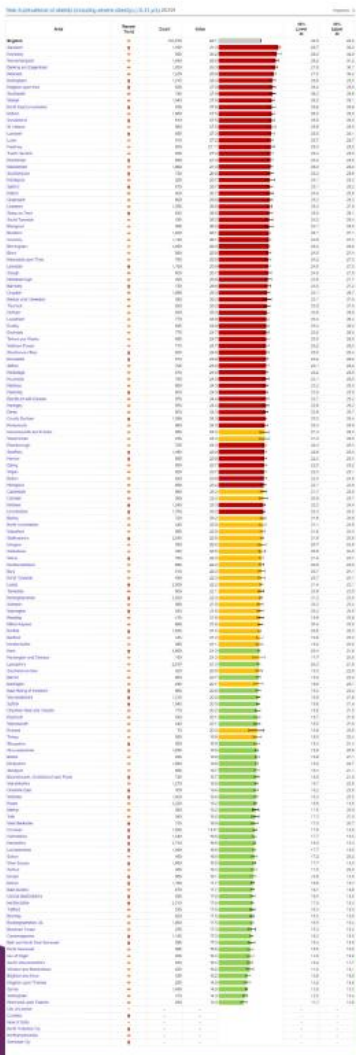


Local data

Data for Walsall – Y6 child overweight & obesity

- In Walsall, 41.7% of children are above healthy weight at Year 6 (one outcome of dietary related ill-health)
- Child obesity prevalence in Walsall is higher than the national and regional average
- Out of 151 local authorities across England, Walsall ranks the 9th worst out of for Y6 obesity.
- Out of the 14 local authorities in the West Midlands, Walsall ranks 3rd worst in for Y6 obesity.
- Twice as many children had severe obesity status at Yr 6, than those at Reception age

National Child Measurement Programme (NCMP) data
Department of Health & Social Care, Public Health Fingertips



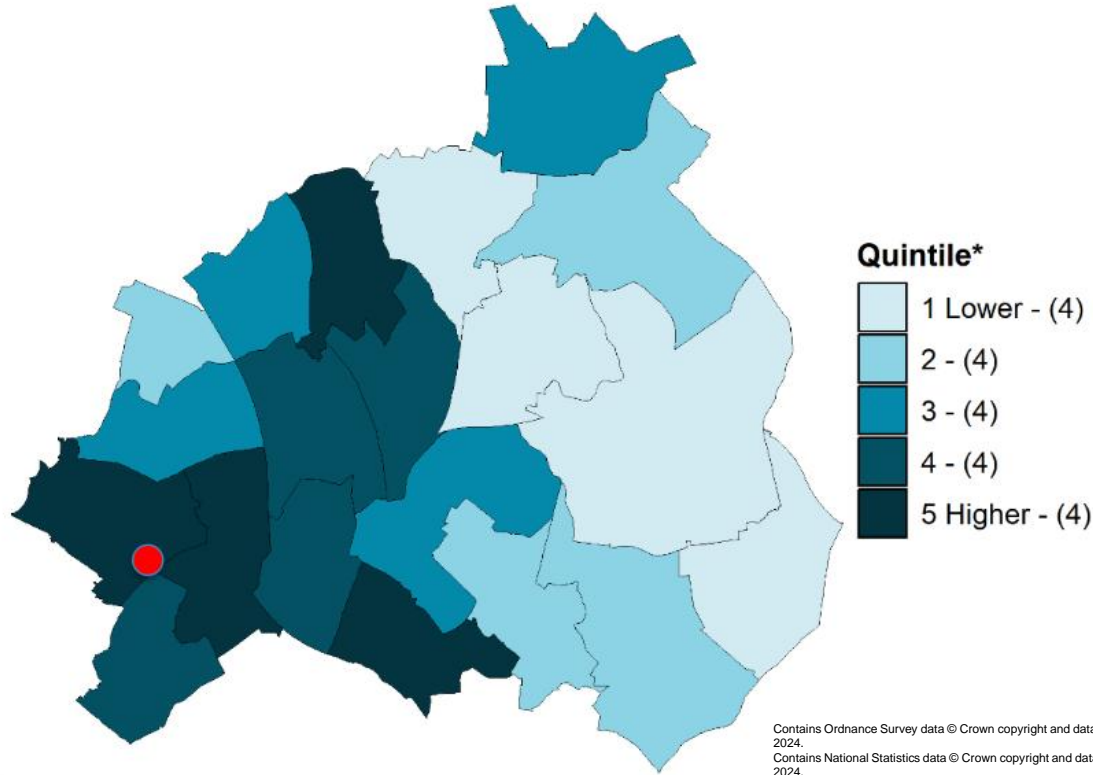
Year 6 prevalence of obesity (including severe obesity) (10-11 yrs) 2023/24

Proportion - %

Area	Recent Trend	Count	Value	95% Lower CI	95% Upper CI
England	→	134,075	22.1	22.0	22.2
West Midlands region (statistical)	→	17,015	24.4	24.1	24.7
Sandwell	↑	1,490	31.0	29.7	32.3
Wolverhampton	→	1,040	29.6	28.2	31.2
Walsall	→	1,040	27.6	26.2	29.1
Stoke-on-Trent	↓	840	26.5	25.0	28.1
Coventry	→	1,140	26.1	24.8	27.4
Birmingham	→	4,050	26.0	25.3	26.6
Dudley	→	925	24.8	23.4	26.2
Telford and Wrekin	→	565	24.7	23.0	26.5
Staffordshire	↓	2,045	22.8	21.9	23.6
Herefordshire	→	385	21.1	19.2	23.0
Worcestershire	↓	1,215	20.5	19.5	21.6
Shropshire	↓	520	19.9	18.4	21.4
Warwickshire	→	1,270	19.6	18.7	20.6
Solihull	→	485	18.4	17.0	20.0

Department of Health & Social Care, Public Health Fingertips

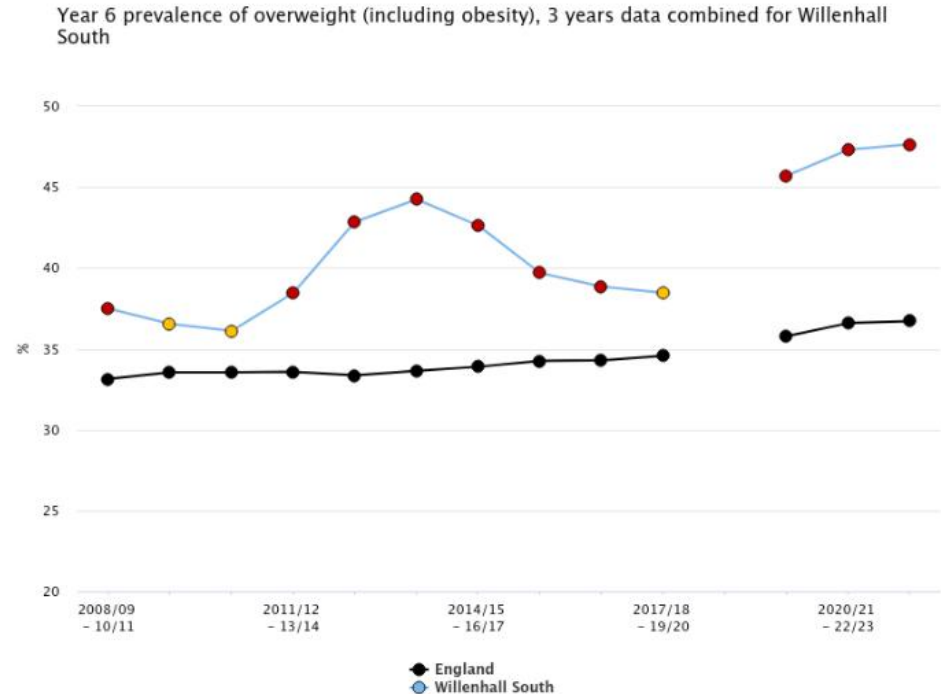
Obesity quintiles by ward



Walsall Insights & National Child Measurement Programme (NCMP) data

The local vicinity – Willenhall South

- Willenhall South has one of the highest childhood obesity rates in Walsall
- 47.7% of Y6 children are living with overweight or obesity
- Obesity including dietary related ill-health is on an overall upward trajectory and is not reducing in these areas.



National Child Measurement Programme (NCMP) data
Department of Health & Social Care, Public Health Fingertips

Other local areas within 10 minute drive

% Children living with overweight or obesity			
Ward	Approx Distance from Burger King	Reception Data 3yr 21/22-23/24	Year 6 Data 3yr 21/22-23/24
Bilston East (Wolverhampton)	5 minute drive (2 miles)	28.7	51
Bilston North (Wolverhampton)	5 minute drive (2 miles)	27.8	50.5
Willenhall South	Immediate vicinity	27.8	47.7
Bentley and Darlaston North	3-5 minute drive (1-2.5 miles)	31.5	47.3
Birchills Leamore	7 minute drive (2.5 miles)	25.2	46.7
Darlaston South	5 minute drive (1.1 miles)	25.5	46.4
Pleck	10 minute drive (2.5 miles)	22.2	45.8
Short Heath	10 minute drive (2.3 miles)	30	43.2
Willenhall North	5 minute drive (1.6 miles)	21.4	42.9
Walsall 23/24		24.7	41.6
West Mids 23/24		23.4	38.4
England 23/24		22.1	35.8

Proliferation / Cumulative Impact

- There are 6 establishments selling hot food after 11pm that are within a 10 minute drive of the Burger King (i.e they have a late night refreshment license). 5 of them already sell burgers
- There are 76 places selling hot food within a 1 mile radius of the Burger King (before 11pm)
- The Food environment assessment tool (FEAT) created by researchers at the University of Cambridge shows us the density and accessibility of food outlets, takeaways and supermarkets. It shows us that its easier to access takeaways than supermarkets in Willenhall South

Vehicle Daily Flow

The average annual daily flow (AADF) - or the number of vehicles that travel past the count point), on an average day of the year for nearby count points is as follows:

- a. A463 Black Country Route 2023 AADF = 43,455 motor vehicles – i.e the adjacent strategic route carries 43,000 vehicles per day.
- b. Armstrong Way 2023 AADF = 12,097 motor vehicles – i.e 12,000 vehicles each day pass the Burger King.

Examples of local marketing

‘Kids eat free’

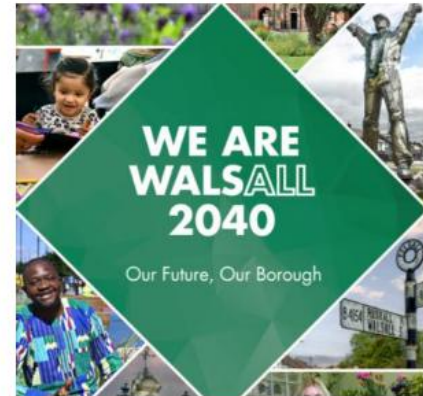


Walsall 2040

Walsall in 2040 will be the most improved borough in the region, a vibrant place where people are proud to live and residents in all neighbourhoods have the same life chances.

We are:

- thriving and happy
- **healthy and well**
- prosperous and innovative
- proud of our borough

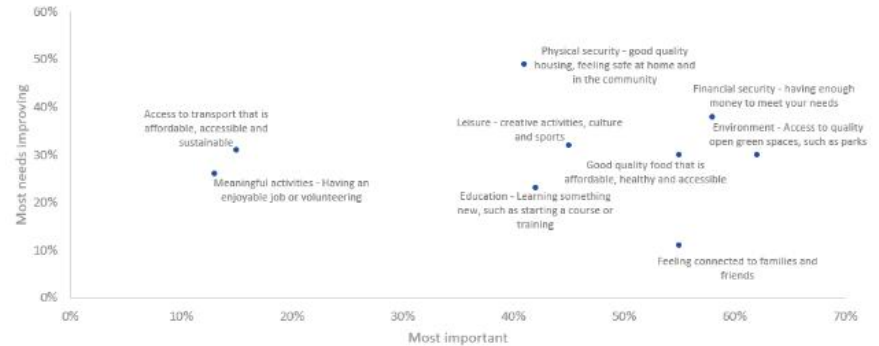


Walsall 2040 – Healthy & Well

Fieldwork that took place summer of 2022 revealed that ‘good quality food that is affordable, healthy and accessible’ was one of the top 3 factors that was most important to our residents.

Out of the North, South, East and West of the borough, the South of the borough thought this needed the most improvement. The local vicinity of the Burger King is in the south / south west of the borough

Importance and improvement needed



Source: We Are Walsall 2040 Postal Survey Q226. Thinking generally, which of the things below would you say are most important for your wellbeing? Base (valid responses: All respondents (2440) Q236. And thinking about the borough of Walsall, which of the things below (including existing support services), if any, do you think most need improving? Base (valid responses: All respondents (1147)

Other additional information/evidence



Wolverhampton

Wolverhampton Public Health also state that Burger Kings application will not protect children from harm.

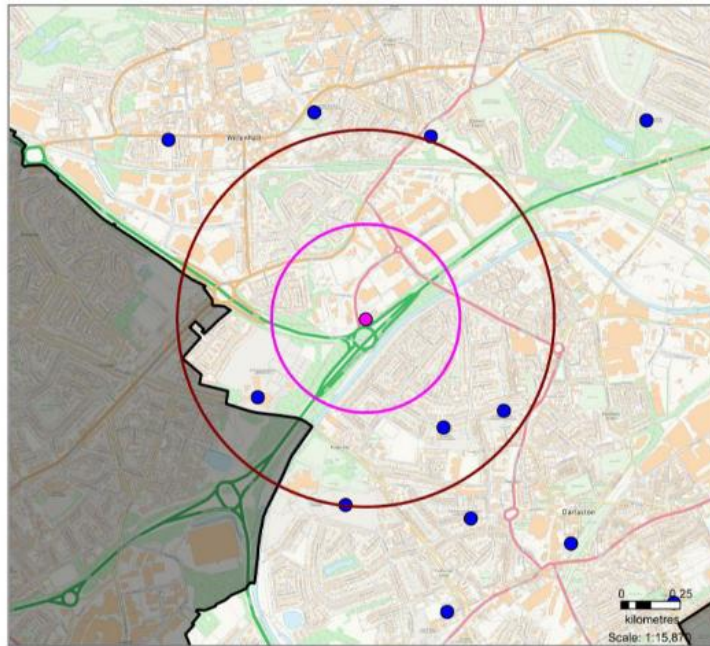


National Planning Policy Framework

Planning policies and decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Local planning authorities should refuse applications for hot food takeaways and fast food outlets:

- a) within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre;
- b) in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social-behaviour.



Legend:

- Site Location
- Schools
- 400m Radius
- 800m Radius



Walsall Council



Walsall Council

Guidance issued under section 182 of the Licensing Act 2003 (Dec 2023)

- Public Health is a responsible authority
- The protection of children from harm includes the protection of children from moral, psychological and physical harm.
- It does not state what type of moral, psychological or physical harms can be mentioned.
- It does not state that Public Health issues and concerns are not relevant or valid

Conclusion

Burger King extending their opening hours is not protecting the health of children.

See next slides regarding the points and evidence made



National evidence

A healthy population is needed for economic growth - Walsall is ranked as the 25th most deprived local authority and 14th for income deprivation affecting children. 30% of people unemployed are long-term sick. Non-communicable diseases are the leading cause of ill-health and premature death.

Evidence shows us that 'junk' foods or HFSS foods (high in fat sugar and salt) have proven negative impacts on health such as obesity. This is due to aspects such as processing, the nutrients or make up of the food, and calorie density. Numerous studies have proven that the availability of these foods impacts on obesity.

Whole systems approach to food – Studies have shown that our food environment is harmful to our health and wellbeing due to lack of access to affordable, nutritious and varied food and too much access to and marketing of cheaper foods that are high in fat, salt and sugar. Our environment is currently not conducive to making healthy choices. Limiting the availability of unhealthy foods is one way of many to influence the health of our population.

The health of adults directly impacts the health of children and vice versa.

Many studies have shown that out of home foods can exceed the recommended daily intake for a meal. The population frequently buys food out of the home.

Burger Kings advertising does not support protecting children from harm.

National planning policy is changing to incorporate reducing the availability of unhealthy foods and increase the availability of affordable nutritious foods.

Walsall and hyper local evidence

Obesity prevalence in Walsall: In Walsall, 41.7% of children are above healthy weight at Year 6 . Child obesity prevalence in Walsall is higher than the national and regional average. Out of 151 local authorities across England, Walsall ranks the 9th worst out of for Y6 obesity. Out of the 14 local authorities in the West Midlands, Walsall ranks 3rd worst in for Y6 obesity.

Hyper local obesity prevalence: Willenhall South has one of the highest childhood obesity rates in Walsall. In the area, 47.7% of Y6 children are living with overweight or obesity

Local obesity prevalence: The areas within a 10-minute drive from Willenhall South all have a child obesity prevalence higher than Walsall, West Midlands and national average.

Proliferation of hot food establishments:

- There are 6 establishments selling hot food after 11pm that are within a 10 minute drive of the Burger King (i.e they have a late night refreshment license). 5 of them already sell burgers
- There are 76 places selling hot food within a 1 mile radius of the Burger King (before 11pm)
- The Food environment assessment tool (FEAT) created by researchers at the University of Cambridge shows us the density and accessibility of food outlets, takeaways and supermarkets. It shows is that its easier to access takeaways than supermarkets in Willenhall South

Vehicle daily flow: Between the hours of 11pm and 5am, that 3000 vehicles may directly pass through this route (Armstrong Way)

Wolverhampton Public Health (neighboring borough, very close to the Burger King) also state that Burger Kings application will not protect children from harm

Burger Kings local advertising does not support protecting Walsalls children from harm.

The Walsall public want support to lead a healthier life, including food choices (Walsall 2040)

National Planning Policy Framework: There are schools in walking distance of the premises. If Burger King was to submit a planning application to have a premises at this location now, it may not be granted due to the impact on local health.