

Mark Drakeford AC / AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-373  
Ein cyf/Our ref MD/01858/15

William Powell AM  
Chair - Petitions Committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

05 August 2015

Dear William,

I was copied in to the response sent to you from the Minister for Economy, Science and Transport with regard to your petition P-04-373 on school exclusion zones for hot food vans.

There is no single answer to tackling the complex issue of obesity; however, the placement of fast food vans outside schools providing easy access to pupils may encourage the consumption of less healthy food and drink or subvert existing efforts aimed at improving nutrition within the school.

The Healthy Eating in Schools (Nutritional Standards & Requirements) (Wales) Regulations 2013 stipulate the kinds of food and drink which can, and cannot, be provided on-site by the school/local authority. They do not apply to food or drink brought in from home or off-site by the pupils themselves, but individual schools have the required autonomy to establish healthy eating policies going beyond the provisions of the regulations and restrict unhealthy food being brought onto the premises.

More than 99% of maintained schools in Wales are participating in the Welsh Network of Healthy School Schemes. Schools are supported to work towards a whole-school approach to health, which covers seven topics, including food and fitness. They can be independently assessed for the National Quality Award (NQA) after nine years' involvement. One of the criteria to be considered for the NQA, in the food and fitness category, is:

*'In secondary schools measures are in place to encourage pupils to stay on site and to effectively use facilities.'*

In addition, one of the NQA minimum requirements for food and drink provision is:

*'Schools actively discourage the efforts of fast-food vans/delivery services to sell food to staff or pupils during the school day, or immediately before and after the school day'*

To date, 79 schools have been awarded the NQA, with a further 267 actively working towards it.

In addition, local authorities have the ability to restrict mobile food traders, which are not governed by the planning regime. The Local Government (Miscellaneous Provisions) Act 1982 gives local authorities the option to regulate street trading in their area by designating streets as prohibited, consent or licence streets.

Consents provide a flexible means of controlling street trade and are not limited by statute in their refusal or revocation. This gives considerable scope to prevent unhealthy street trade or to promote healthier street trade, either by refusing consent to trade to fast food vans or by favouring traders who offer healthier options.

I would encourage all Welsh local authorities to consider using their licensing powers to support the work they already do within the school system by restricting access to unhealthy food from sales from fast food vans and delivery services.

I am copying this letter to Edwina Hart Minister for Economy, Science and Transport.

Best wishes,

A handwritten signature in black ink that reads "Mark".

**Mark Drakeford AC / AM**

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services