

Date: 6th June 2019

Outsmart response to UK Government Consultation on further advertising restrictions in TV and online for products high in fat, salt and sugar.

This is the response from Outsmart to the UK Government Consultation response which is due for submission by 10 June 2019. There are six key sections:

- A. Background
 - 1. About Outsmart
 - 2. Economic contribution to the UK
- B. OOH advertisers are positive partners in helping to tackle childhood obesity
- C. Why Outsmart is responding to this consultation
- D. Supporting the principles established by the Government
- E. Impact assessment
- F. Recommendations

Executive summary and ask

The out-of-home (OOH) advertising industry, represented by Outsmart, fully supports the Government's objective of tackling childhood obesity. Despite the fact that our sector represents just a small fraction of the total advertising market spend, we strongly believe we can play a role in tackling childhood obesity.

The industry is responding to the consultation because we agree with the Government's views that the focus should be on broadcast TV and online advertising, which are most seen by children.

But we are concerned that other authorities, when exploring ways to tackle childhood obesity, are prioritising proposals to ban OOH advertising of products that are high in fat or salt or sugar (HFSS) which, as this consultation makes clear, have a minimal impact on children.

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The consultation paper raises the concern of possible displacement. Any OOH advertising ban risks displacement of advertising from our media (which has minimal impact on children) to other media, such as TV and online, which have a much bigger impact on children. By banning OOH advertising of HFSS products, devolved and other regional and local authorities are actually undermining the Government's ability to meet its objectives of reducing childhood obesity.

Conversely, there is no evidence that online/broadcast restrictions will lead to a displacement of advertising to out of home. In fact, the evidence suggests that over the last ten years alone there has been strong movement of advertising spend from other media to online in particular, and nothing suggests that this will not continue.

This consultation states that the Government is working on a UK wide approach with the devolved authorities, yet some of those authorities are exploring OOH advertising bans, which this paper clearly concludes is not a priority, at the expense of other, more effective programmes. Any local bans may also displace advertising from OOH to channels more likely to be seen by children, such as broadcast TV and online.

We ask that the Government encourages other authorities (devolved, regional and local) to focus on the main causes of obesity in order to tackle the problem at its root. Placing a local ban on OOH advertising of HFSS products should not be considered a priority, as focus needs to be on measures that deliver behavioural change by children and their families.

This has been clearly demonstrated by the work done by Leeds City Council working closely with the charity Henry (Health, Exercise, Nutrition for the Really Young).¹ In Leeds, obesity rates in children starting school averaged 9.4 per cent between 2009 and 2013, falling to an average of 8.8 per cent over the next four years following the intervention, while remaining stable in England as a whole. The biggest fall was in the most deprived fifth of children, where rates fell from 11.5 per cent to 10.5 per cent.

As OOH's effective contribution to tackling childhood obesity Outsmart has developed an alternative to local bans. This sees the industry works together with authorities to implement a positive, local Collaborative Model for using OOH advertising. It combines a focused approach to minimising even further the level of HFSS promotions seen by children together with use of the industry's resources for positive messaging to help parents make the right choices for their children.

We recommend that the Government proposes to devolved and other authorities that, when considering local strategies to tackle childhood obesity, restricting OOH

¹ <https://www.thetimes.co.uk/article/lessons-for-parents-in-leeds-put-child-obesity-into-reverse-2fbrzc8mc>



advertising of HFSS should not be a priority but, where this is considered, it is more productive to adopt a positive, collaborative model than impose an untargeted, total ban on HFSS advertising.



A. Background

1. About Outsmart

Outsmart is the national body representing the out-of-home (OOH) advertising media owners in the UK, including the biggest sellers of OOH advertising in the UK - Clear Channel, Global, JCDcaux and Ocean Outdoor. Our members work in partnership with TfL, local authorities and landlords across the UK to display advertisements on, and invest in, their estates.

2. Public investment created by the OOH sector

Outdoor advertising comprises only a tiny proportion of the total UK advertising spend. Official industry figures across the UK as a whole show that total ad spend in 2018 amounted to £23.4bn. OOH accounts for just £1.1bn of this total, equivalent to 5%, with the overwhelming majority of spend on social/digital media (57%) and TV (20%).

However, the outdoor advertising sector makes a significant economic contribution to UK plc. A PwC report dated January 2019 on UK OOH sector shows that we create benefits for society in three areas:

- Directly employing 2700 jobs and indirectly supporting a further 1800 jobs
- Investing £105m to install and maintain public infrastructure such as bus shelters, phone boxes, public wi-fi services, LED lighting etc
- Paying £235m to public authorities in business rates and rent/revenue shares which is re-invested into public services
- Donating over £15m to support charities and local communities

Any media restrictions imposed by public authorities that reduces the revenues of the sector will, inevitably, reduce the amount of funding available to local authorities to invest in their areas or use to tackle the root causes of childhood obesity at its source.

B. OOH advertisers are positive partners in helping to tackle childhood obesity

Outsmart welcomes the consultation into further advertising restrictions on TV and online for products high in HFSS as we recognise the seriousness and urgency of the issue.

We fully support the Government's intention to halve childhood obesity by 2030 and significantly reduce the gap in obesity between children from the most and least deprived areas.

Although only a small part of the advertising industry, we believe the OOH sector can play a positive role in helping achieve these objectives and this is why Outsmart is actively contributing to national and devolved authority consultations. Most recently, we have responded to the following:

1. Mayor of London's consultation into proposed ban on food and drink advertising across the Transport for London estate
2. Welsh Government's consultation on limiting the promotion of unhealthy foods in Wales

In all of these we have strongly argued that the priority should not be in banning OOH advertising of HFSS products, because this is untargeted and ineffective, but instead concentrate time and resources on exploring and implementing a range of other solutions that have been proved to have a positive impact.

In our responses we have also outlined a more effective alternative when working with OOH advertising, which can harness the power of outdoor advertising to improve public education and awareness of healthy nutrition and exercise.

Outsmart members have long been active in making positive proposals on how the power of out of home advertising can help tackle childhood obesity. Here are just a few examples of our activity:

School exclusion zones

While OOH advertising does not have a major impact on children, there are some very specific, targeted areas where the impact may be greater. In July 2017 we went on the front foot to voluntarily remove the promotion of all HFSS food and drink products within 100m of all school boundaries. This has resulted in HFSS adverts being removed from over 23,000 sites across the UK, representing 14% of the total number of static outdoor advertising sites in the whole country. At a significant financial cost to the industry, advertisers and our members have rigorously complied with this voluntary initiative, with just a few inadvertent transgressions across the tens of thousands of sites since the initiative came into force.

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Collaborative Model

Although OOH advertising has low impact on children (who are most influenced by TV and online advertising), it does influence adults. So in April 2019, we launched our Collaborative Model, in which we proposed to partner public authorities across the UK to donate free of charge, unsold space on our digital estate. This would be done for marketing campaigns in their area that promote healthy lifestyles, nutritional advice or increased physical activity for kids to help parents make healthy lifestyle choices for their children. The value of this space would be worth up to £15m a year.

In addition to voluntarily donating significant advertising space to partner authorities, Our Collaborative Model also includes a wider package of measures, including:

- Voluntarily adopting additional advertising guidelines on children's food preferences
- Imposing advertising restrictions on multi-buy HFSS promotions
- Extending our voluntary "schools exclusion zone"
- Promoting a healthy lifestyle tagline message on HFSS advertising

This package of measures in our Collaborative Model represent our member consensus and reflect our strong desire to play an active role in tackling the issue of childhood obesity at its source. The effectiveness of actions outlined in the model are based on solid evidence. We are therefore confident that they will help to promote and deliver the behavioural change required to tackle childhood obesity effectively across the UK.

Using this model, we aim to reduce even further the already low impact on children of OOH advertising of HFSS while also actively promoting to their parents healthy lifestyle choice for kids. This model is a positive alternative to a negative total ban on OOH advertising of HSSF products. More details on our Collaborative Model can be found in the Appendix 1.

Get Smart, Outside campaign

In April 2019 Outsmart launched the industry's "Get Smart, Outside" campaign to harness the power of advertising to promote healthy lifestyles for kids. The campaign promotes our Collaborative Model and aims to deliver much needed behavioural change across the country.

Our new dedicated website containing further details about the campaign is www.getsmartoutside.org.uk and more updates can also be found on our [Twitter feed](#).

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C. Why Outsmart is responding to this consultation

The Government's proposal for additional restrictions on broadcast TV and online advertising is rightly very targeted and focussed.

Out of Home advertising is not included in the scope of this consultation because the Government recognises that it is not a key media for children and therefore has little impact on them. We agree.

However, Outsmart is concerned that other parallel consultations for other public authorities are including proposals against out of home advertising. These are seen as high-profile measures and as relatively easy to introduce. We have already seen the Mayor of London giving priority to a ban all advertising of HFSS products on the TfL estate and a proposed ban on council property by LB Haringey.

This gives a warm feeling of "something being done" but focuses efforts and attention on a relatively minor element, to the detriment of the wider campaign to tackle childhood obesity. Such approach also prevents more positive use of OOH advertising to help tackle childhood obesity. In fact, these actual and proposed bans go against most of the key principles stated in the Government's consultation, as we examine in section D, below.

The Government's consultation paper states that "recognising that this is a UK-wide challenge, Government is working with the devolved administrations to ensure that our approaches are aligned as much as possible". On the proposed impact of, and approach to, OOH advertising of HFSS products the approaches are not just unaligned but are pulling in totally different directions.

Moreover, imposing untargeted bans on OOH advertising is likely to displace advertising spend from a media that has little influence on children to media such as TV and online, so adding to the childhood obesity problem.

We want to reiterate our argument that bans of OOH advertising of HFSS don't work. Our experience shows that the ban will have a number of inadvertent, adverse consequences. These broadly fall into four areas (which are explained in more detailed in Appendix 2):

- Ineffective - no evidence has yet been produced to prove that banning outdoor advertising reduces childhood obesity. This is hardly surprising given that our sector accounts for just 5% of the whole advertising spend in the UK and that it is not a media from which children most receive their information.

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- Costly – the advertising ban in London has been estimated to cost £35m, money that that could otherwise have been invested in the transport infrastructure, keeping fares low or on anti-obesity programmes that have actually been proven to work such as the great work that has been undertaken by Leeds CC with the charity HENRY, as described above.
- Unpopular - polling has shown the public are overwhelmingly opposed to the idea of the ban when they recognise that it comes at a cost to them. For instance, 62% of Londoners opposed the Mayor's ban and just 21% supported it, if it meant TfL fares would have to rise to cover the £35m price tag.
- Confusing and untargeted - the implementation of the London ban has also created uncertainty, confusion and complexity that has seen family staples like butter, cheese and jam being banned whilst allowing some chicken burgers, nuggets and fries to be advertised.

For all these reasons, by way of this consultation response, Outsmart wants to suggest that the priorities of devolved and local authorities need to be less on proposals for high profile but low impact bans on OOH advertising and focus instead on other measures which deliver much needed behavioural change like in Leeds.

In addition, we want to draw attention to an alternative, more positive approach to OOH advertising, our Collaborative Model, that is evidence-based, and which offers a cost-effective way of to help in the fight against childhood obesity in ways proven to work in other countries.

D. Supporting the principles in the consultation paper

In Sections 2 and 4 of the consultation, (“Policy context” and “Scope of the Consultation”) the Government establishes what are, in effect, a number of key principles when looking at advertising related measures to tackle childhood obesity, all of which we support. But we believe that these are not always being followed by policies and consultations undertaken by other authorities which give undue priority to banning OOH advertising of HFSS products.

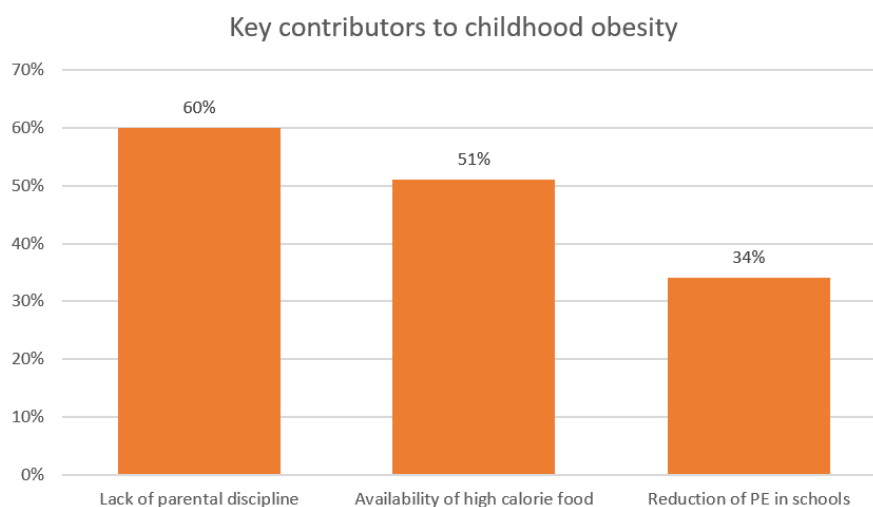
Principle 1 – “childhood obesity is a complex problem caused by many different factors. No one policy and no one sector will reduce childhood obesity on its own”. Policy Context, page 4

We support this principle. Moreover, we believe that other factors and activities are more influential in tackling childhood obesity than restricting advertising.

In an independent 2014 report from McKinsey, portion control, reformulation of products, education by schools and parents were regarded as the most effective solutions to reduce childhood obesity. On the other hand, media restrictions were ranked as one of the least effective interventions.

The public agrees. When people were asked what they felt caused childhood obesity, a YouGov representative poll of over 1200 adults gave the following three issues as the key contributors to childhood obesity:

- lack of parental discipline (60%)
- availability of high calorie foods (51%)
- reduction of physical education in schools (34%)



When asked in a YouGov poll, respondents were split about the effectiveness of blunt ad ban in reducing childhood obesity. Other interventions, however, were seen to be much more effective such as:

- ✓ opportunities for kids to engage in physical activity (77% effective to 14% ineffective);
- ✓ nutritional education in schools (68% to 22%);
- ✓ a healthy living campaign programme designed together by industry and Government (47% to 37%).

No one, single solution is going to work, and authorities need to look at a wide package of measures, with advertising restrictions being just one part of the mix.

Principle 2 – “The primary focus of this consultation should be on broadcast TV and online given that these are the main sources of children’s media consumption”. Media in scope, page 13

The consultation paper shows that broadcast TV and online are the main source of children’s media. In comparison, OOH advertising represents just 5% of the UK advertising industry and is not a major media source for children.

Already the current UK rules for OOH advertising of HFSS products are amongst the strictest in the world and the industry goes beyond simple compliance.

As noted above, Outsmart voluntarily took steps in July 2017 to restrict OOH marketing of HFSS products in areas most likely to be seen by children, by preventing HFSS advertising being placed on static OOH sites within 100 metres of school boundaries across the UK. As part of our Collaborative model we are also proposing to work with partner authorities to extend the School Exclusion Zone to 200 metres, a proportionate and targeted voluntary intervention.

There is no empirical evidence that shows that banning outdoor advertising of “unhealthy food” will reduce childhood obesity. Further restrictions on OOH HFSS advertising should not be a high priority in related consultations.

Principle 3 – “We want to ensure that any potential future restrictions would be proportionate..... and limit the advertising children see”. (Objective of consultation, page 13)

The consultation paper states that advertising HFSS products should be prohibited in media aimed at children or where more than 25% of the target audience is under 16. Yet current and proposed blanket bans on OOH encompass advertising in all

locations, including those that are seen by a very small proportion of children within the whole population.

Outsmart pointed out to the Mayor, during his consultation to ban advertising for HFSS products on TfL estate less than 25% of users are children. Estimates of the proportion of children that use the London Underground to travel to and from school range from 1-3%. Yet the ban applies across the estate. It is not targeted; it is not proportionate, and it will not be effective.

Principle 4 – “We want to ensure that any potential future restrictions would be proportionate and targeted to the products of most concern to childhood obesity”. Objective of Consultation, Page 13

Total bans on OOH advertising of HFSS products are not proportionate and not targeted.

The “junk food” ban in London has seen family staples like butter, cheese and jam banned, as well as seasonal favourites such as strawberries and cream in the Summer and mince pies at Christmas. One poster that has been banned was for online food delivery company, Farmdrop², whose tagline is 'fresher, fairer groceries delivered to your door'. It featured a family gathered around a kitchen island with an array of fresh goods in front of them, but was forced to remove bacon, butter and jam because these foods are apparently not healthy enough for the public to see. The ad required cropping three times before it was allowed, despite it clearly not targeting children.



On the other hand, TfL has continued to allow the advertising of some mayo chicken burgers, nuggets and fries on the tube network, as these are compliant under the Nutrient Profiling Model (NPM) on which the ban is based but butter, cheese and jam

² <https://www.dailymail.co.uk/news/article-6775723/Online-supermarket-forced-remove-bacon-butter-jam-Tube-advert.html> ; <https://www.telegraph.co.uk/health-fitness/body/junked-food-eggs-butter-shouldnt-banned-adverts/>

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are not. This appears to defy common sense. It is a production of the NPM being used for a purpose it was not designed for i.e. it was initially developed to help manufacturers reformulate their products, not as the basis for media restrictions.

A further inconsistency has been that whilst advertisements for “unhealthy food” on the London travel network have been banned, TfL has continued to allow and profit from vendors at public transport hubs selling precisely the same food products that they have banned from advertising. The BBC has reported criticism that the policy of the ban was ill-thought-through as it allows for doughnuts to still be sold openly on London underground despite the ban coming into force.³



Finally, in London, TfL continues to make revenue from the distribution of free magazines, newspapers and other media on its property who remain at liberty to advertise whatever food and drink products they choose. On the very day the ban was introduced, one free newspaper contained a dozen different advertisements which would have been banned on poster sites on the network.

Principle 5 - “We want to ensure that any future restrictions should be easily understood by parents so that they can be supported in making healthy choices for their families”. Objective of consultation –P13

We believe that a blanket ban on out of home advertising of HFSS products is a very negative and unproductive move. It has little impact on children, and it does nothing to help parents make healthy choices for their family.

The alternative approach, our Collaborative Model, combines limits on OOH HFSS product advertising which might be seen by children (i.e. close to schools) with positive activities (e.g. the use of unsold advertising space to promote local and national healthy living programmes) to help parents make healthy choices for their families.

See Appendix 1 for details on our model.

³ <https://youtu.be/X-iLG8QHTq4>
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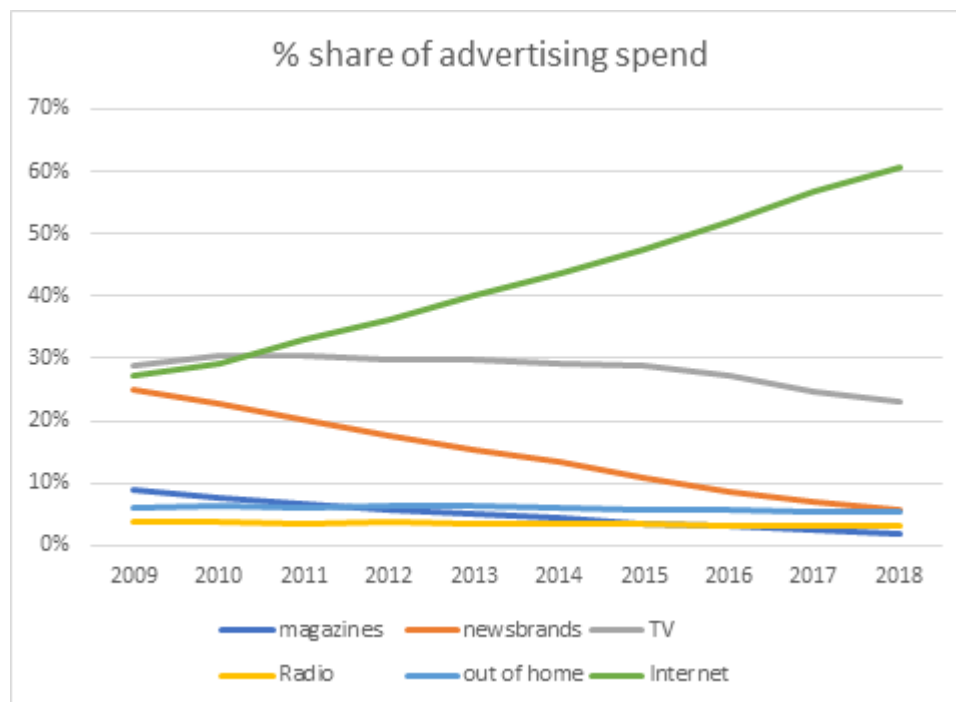
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Principle 6 - “We recognise the possibility that advertising restrictions for broadcast TV and online could displace advertising revenue to other channels, potentially weakening the effectiveness of the policy”. Media out of scope – P14

We share the Government’s concern about the unintended consequences of displacement when further restrictions are placed on one particular media form. But displacement is likely to be a bigger concern if local bans are made on OOH media advertising. The displacement may well be to broadcast TV and online channels which, as the Government has acknowledged, are more likely to be seen by children. This means that local OOH advertising bans are more likely to weaken the effectiveness of Government childhood obesity policy.

There is strong evidence, however, of advertising spend displacement *towards* online media over the past ten years in a dramatic fashion. In 2009, online, TV and print spend were roughly equal accounting for just under 30% of the market each. Out of home was just 6% of the market. Since then, OOH has declined a little to 5%, TV is down from 29% to 23% and print has fallen sharply from 25% to just 6%. This has all come at the expense of online, which has risen spectacularly from 27% to 61% of the market spend in just 10 years. There is no evidence to suggest that restricting media advertising for online, a highly targeted medium, will lead to displacement to OOH, a more generic media. Source: Advertising Association / WARC Expenditure Report database.



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E. Impact assessment

The Government has produced a detailed impact assessment of the various options for introducing new advertising regulations. Outsmart fully supports this evidence-based approach to policy making.

But there is no impact assessment provided to support the Mayor's OOH advertising ban or the policy proposals in consultations by the Scottish and Welsh governments. The Mayor's ban on out of home advertising of HFSS products will have little positive impact (because, as the Government acknowledges, out of home advertising has a very small impact on children). But it does have a negative impact (cost to TfL, cost to industry, cost to local infrastructure, opportunity costs).

An impact assessment would show that Outsmart's collaborative model would have minimum negative impact (reduced costs to government and industry from a more targeted approach) and maximum positive impact (through harnessing the power of advertising to promote healthy lifestyles which support parents making choices for their families).

Outsmart estimates that the advertising ban in London will cost £35m pa which could otherwise have been invested in keeping fares low or directly in the transport infrastructure.

Alternatively, £35m would have provided significant funding for anti-obesity programmes like promoting physical activity in schools or providing better nutritional advice to kids, that are actually known to work such as:

1. Provided over £1million for each London borough to spend on healthy living projects.
2. Funded a breakfast club in every London primary school for three years.
3. Paid for over 1000 additional PE teachers in London.
4. Paid for two nutritionists for every single secondary school in London.
5. Funded a year's worth of breakfast for every child on free school meals in London.
6. Paid for a year's worth of swimming lessons for every London secondary school pupil on free school meals.
7. Funded a brand-new sports hall for each of London's 32 boroughs.

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8. Funded over 30 outdoor gyms for *every* London Borough.
9. More than quadrupled the budget of the Mayor's community sport 'Sports Unite' programme.
10. Funded over 11million Healthy Start Vouchers for the very poorest pupils in London.

F. Recommendations

The Government's main aims through this consultation are to reduce children's exposure to HFSS advertising and support parents to make healthy choices for their families in order to reduce childhood obesity. To achieve these aims we recommend that the Government should:

- Advise devolved governments and regional and local authorities that blanket bans on out of home advertising of HFSS products are untargeted, disproportionate and do little to influence children's choices, given their limited impact on this age group and should not be seen as a priority.
- Encourage devolved governments and regional and local authorities that wish to examine OOH advertising as part of its wider mix of activities should work with the OOH industry to develop a local Collaborative Model that harness the power of OOH advertising to promote positive programmes to parents that encourage and support healthy lifestyles for their families

Such proactive solution mirrors the body of evidence on childhood obesity, supporting a whole systems approach, which is proven to work and is also in line with public opinion.

This approach is beneficial not only because it is capable of delivering the much-needed behavioural change, but it would also have little negative economic impact on hard-pressed local authorities throughout the country.

We would welcome the opportunity to meet with you to discuss the implementation of our approach in the UK and to further the important objectives and priorities set out by the Government.

Yours Sincerely

Tim Lumb

Director of Outsmart
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APPENDICES

Appendix 1

Outsmart's collaborative model

We believe that the power of advertising should be harnessed to promote healthy choices for kids as the centrepiece of our Collaborative Model, with business and public authorities working together in partnership to tackle the problem.

Our proposal to public authorities in the UK who want to work with us is to donate free of charge, unsold space on our digital estate to marketing campaigns in their area that promote healthy lifestyles, nutritional advice or increased physical activity for kids. Outdoor advertising has a long history of successfully informing and educating people of public health issues:



Our Collaborative Model could be put to use to help promote a major national campaign across the whole of the country or to amplify local initiatives to reduce obesity, or a combination of the two depending on authorities own specific priorities. The value of this space would be worth up to £15m a year.

Amsterdam's example has shown that this is a proven technique to reduce childhood obesity – it is also popular with voters and does not damage public services that have already felt the impact of many long years of austerity.

Other measures

In addition to voluntarily donating significant advertising space to partner authorities who want to work alongside us, we would be happy to discuss a wider package of other measures with relevant authorities, that could help tackle the problem at either a national or local level. These could include:

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- ***Outsmart members voluntarily adopt additional advertising guidelines on children's food preferences***

The Nutrient Profiling Model is widely used to assess the nutritional value of food and drinks, it is not fit for purpose when it comes to deciding what products should face advertising restrictions to children as it rules out family staples like butter, pasta and jam as well as adult food choices such as pesto, olive oil and soy sauce. We propose working with an independent, respected nutritionist to refine the model into 'Children's Unhealthy Food Preferences' (CUFP) to capture unhealthy kids' foods, but exclude other products that are demonstrably neither 'junk food' nor have an appeal to kids.

- ***Imposing advertising restrictions on multi-buy HFSS promotions***

There is a strong body of evidence to suggest that price promotions – both temporary price reductions and multi-buy type promotions – increase the volume of food or drink purchased. The Scottish Government, for example, is already looking at restricting multi-buy promotions at the point of sale. We would be prepared to look at extending that by introducing voluntary measures to restrict all similar advertisement of unhealthy kids' foods across the country.

- ***Extending the “schools exclusion zone”***

Outsmart has already been on the front foot in restricting HFSS advertising close to schools. In July 2017, we voluntarily prohibited the advertising of such products from being placed on static Out of Home sites within 100 metres of school boundaries across GB. To underscore our ongoing commitment to protecting young people from the marketing of unhealthy kids' products, we would look at doubling this exclusion zone to 200m which would increase the number of sites covered.

- ***Promoting a healthy lifestyle tagline message on food advertising copy***

As well as further voluntary restrictions, a whole systems approach to tackling obesity must be underpinned by appropriate education. This was fundamental to the 'Amsterdam model' which was shown to have a successful impact on rates of childhood obesity in that City. We want to take the initiative and work with advertisers through their trade body, ISBA to formulate a responsibility message to appear on all “unhealthy kids products” and link to the sector's campaign on promoting healthy lifestyle, along the lines of: 'Enjoy responsibly as part of a balanced diet and active lifestyle.'

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Appendix 2

Why bans don't work?

Our experience is that the ban will have a number of inadvertent, adverse consequences. As a result, we strongly believe that bans are:

- **Ineffective**

Quite simply, there is no evidence base to suggest that a ban on the outdoor advertising of “unhealthy food” works. No academic paper nor peer reviewed article proves a causal link between banning outdoor advertisements and a reduction in childhood obesity, the stated aim of this policy.

On the contrary, as referred to above, McKinsey's 2014 study revealed that media restrictions were one of the least effective policy interventions.

That's even more so the case in relation to out of home advertising media. Firstly, the Committee of Advertising Practice (CAP), the sister organisation of the Advertising Standards Authority and responsible for writing the Advertising Codes, recognises that OOH advertising is a public broadcast medium, directed at the general public. OOH does not target children.

Secondly, outdoor advertising comprises only a tiny proportion of the total advertising spend. Industry figures across the UK as a whole show that total ad spend in 2018 amounted to £23.4bn, but OOH accounts for just £1.1bn of the total, equivalent to just 5% with the overwhelming majority of spend on social/digital media (57.7%) and TV (19.9%).

In the event of further limitations applying to OOH, most advertisers would likely redistribute the untargeted OOH marketing budget to other media.

The UK Government's Department of Health and Social Care and Department of Digital, Culture, Media and Sport have recently announced its own joint consultation plans for tackling childhood obesity which outlines a number of proposals aimed at restricting the advertising of HFSS products on television and online media which collectively accounts for 78% of advertising spend in the UK.

- **Costly**

It is important to remember that an advertising ban in OOH is not cost free to public authorities and the services they provide. Outsmart members that operate in partnership with public bodies share a significant proportion of the revenues

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generated from their activities, that is reinvested by local authorities in the transport infrastructure or to help keep fares low for local residents and commuters.

Based on our experience of the industry and the demand for OOH advertising across the UK, it would be highly unlikely that sites currently used by HFSS advertisers would simply be replaced by other categories of advertising. This would result in a knock-on effect on local authorities in the country as a whole, to the tune of millions of pounds over time.

The significant loss of revenue for our members would inevitably result in cost saving measures, including a reduction in investment in and the renewal of, public infrastructure. The OOH sector supports the employment of approximately 4500 people in the UK as a whole and a proportion of these would be put at risk as a result of a wholesale ban.

There would be a reduction in the revenue available for the investments made by our members that go to improving UK public services and economy by:

- (a) supporting local job creation and investment through the installation, maintenance and cleaning of street furniture;
- (b) renewing thousands of bus shelters;
- (c) providing live bus timetable information at bus shelters;
- (d) unlocking public funds for other projects by reducing the need for governments to invest in street clutter reduction and giving back valuable pavement space through renewal projects; and
- (e) paying business rates that ensure OOH advertising sites make an ongoing financial contribution to the local area.

Our members are clear that the impact of a comprehensive ban will prevent them from being able to commit in the future to many of the above investments that are currently included in their contracts and have significant benefits for UK people. We consider that, as a result, a blunt wholesale ban would have a net economic detriment to the public interest across local authorities who are already cash-strapped.

- **Unpopular**

Whilst it might seem obvious from headline polling that advertising bans command some public support, once the public realise that they are not cost free and will have damaging consequences to local public services, opinion quickly and substantially shifts against them.

For example, when asked in a November 2018 YouGov poll, if they would support a ban if there was a possibility that fares may rise as a result, 62% of Londoners said they would oppose it, with just 21% in support – a ratio of almost 3:1 against the ban. Similarly, 49% opposed the ban (against 31% who supported it) if it slowed down the

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rollout of live bus timetables on shelters. And 46% oppose it (33% support) if it led to less improvement in the public realm around bus stops.

In addition, the ban in London has prompted much media scrutiny, a significant amount of which has been negative. The media coverage has generated a lot of articles questioning the effect of the ban as well as the uncertainty, confusion and complexity that it generated. Just to list a few examples:

- **The Sun:** questions over Sadiq Khan's priorities as he fails to control knife crime epidemic but bans unhealthy food ads from the Tube⁴
- **The Telegraph:** argument that the imposition of endless bans is infantilising responsible citizens⁵
- **Evening Standard:** surprise that adverts for butter, olive oil, pesto and soy sauce would also be banned under TfL proposals to combat childhood obesity.⁶
- **City AM:** criticism of the ban costing a cash-strapped Transport for London (TfL) meaning less money for infrastructure upgrades⁷
- **Guido Fawkes:**
 - Criticises HM Government childhood obesity strategy for classifying foods recommended by the NHS as healthy alternatives as 'junk food'⁸
 - Describes decision to ban adverts for mince pies, Christmas puddings and MacMillan coffee mornings, on TfL as 'knee-jerk.'⁹
 - Discusses costs of the ban relative to effectiveness, calling it 'Expensive, ineffective, and virtue signalling.'¹⁰

⁴ <https://www.thesun.co.uk/news/8569227/sadiq-khan-fails-control-knife-crime-unhealthy-food-ads/>

⁵ <https://www.telegraph.co.uk/politics/2019/03/10/imposition-endless-bans-infantilising-responsible-citizens/>

⁶ <https://www.standard.co.uk/news/transport/ads-for-butter-olive-oil-and-pesto-could-face-tube-ban-in-war-on-junk-food-a4032991.html>

⁷ <http://www.cityam.com/273733/critics-hit-out-sadiq-khans-blunt-junk-food-advertising-ban>

⁸ <https://order-order.com/2019/03/07/government-cracking-food-describes-healthy/>

⁹ <https://order-order.com/2018/12/20/scrooge-sadiq-banning-tube-ads-christmas-treats/>

¹⁰ <https://order-order.com/2018/11/22/censoring-sadiq-strikes/>

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- **Inconsistent**

The implementation of the London ban has been poorly thought out, creating uncertainty, confusion and complexity. This has left Londoners bewildered and cost companies in terms of time, money and resources. (See our review of Government principle 3 for more details and advertisement visuals.)