

5 March 2013		ITEM 6
Planning, Transport and Regeneration Overview and Scrutiny Committee		
IMPACTS OF HOT FOOD TAKEAWAYS & OPTIONS FOR PLANNING POLICY TO MANAGE THE LOCATION OF TAKEAWAYS IN PROXIMITY TO SCHOOLS IN THE BOROUGH.		
Report of: Leigh Nicholson Development Management Team Manager		
Wards and communities affected: All	Key Decision: No	
Accountable Head of Service: Andy Millard, Head of Planning & Transportation		
Accountable Director: David Bull, Director of Planning & Transportation		
This report is public		
Purpose of Report: To inform Members of the new relationship between Thurrock Council Planning team and Public Health and to seek the views of Members on the necessity or otherwise to develop to additional planning policy to address the health impacts of hot food takeaways in proximity of schools.		

EXECUTIVE SUMMARY

The transition of the Public Health function from the NHS to the Local Authority will assist both Local Authority and Public Health to develop a local public health system that is designed to have the greatest potential for improving health.

This report has been compiled in collaboration with Public Health and focuses on the link between hot food takeaways and childhood obesity and considers the potential to develop additional planning policy to manage the location of takeaways in proximity to schools in the Borough.

1.0 RECOMMENDATIONS:

- 1.1 That the Planning, Transport and Regeneration Overview and Scrutiny Committee consider the issues and agree Option 2 (to investigate options to develop specific planning policy to address the health impacts of hot food takeaways).

2.0 INTRODUCTION AND BACKGROUND:

- 2.1 Obesity is one of the biggest health challenges facing the UK. The four most common medical problems linked to obesity are coronary heart disease, hypertension, type 2 diabetes and osteoarthritis. The incidence of all these conditions increases with increasing body weight. Being overweight or obese also has a negative effect on mental health, sleep apnoea and respiratory problems. The prevalence of obesity has risen dramatically in the last 20 years and it is now estimated to cost more to the economy than smoking.
- 2.2 Thurrock has a higher prevalence of obese adults (16+) than its geographical neighbours and a significantly greater percentage of obese adults than the regional and national averages.
- 2.3 Obesity prevalence across Thurrock is linked to deprivation with the greatest prevalence in Tilbury and the East of Thurrock (29-30%) with the more affluent areas of Orsett, North Stifford and Bulphan showing the lower percentages (24-26%) of the adult population as obese.
- 2.4 Diet is a key determinant both of general health and obesity levels. Most fast food takeaways are a source of cheap, energy dense and nutrient poor foods. Research indicates that once a child or adolescent develops obesity they are more likely to remain obese through adulthood, have poor health and reduced life expectancy. The proliferation of takeaway food shops in the Borough, especially in proximity to schools, is therefore cause for concern.
- 2.5 Health is an important priority for the Borough and one of the key priorities of the Thurrock Health and Wellbeing Strategy is to reduce health inequalities by 'reducing the overall prevalence of both adult and child obesity within Thurrock and reducing the difference in obesity prevalence between affluent and deprived areas'.
- 2.6 Whilst it is recognised that hot food takeaways contribute to the mix of town centres, providing a popular service to local communities, employment and a source of economic development, hot food takeaways are dominating the local retail food offer in the Borough. This displaces other shops and food options, restricting choice and access to healthy, fresh food which in turn impacts on the health of communities in the Borough.
- 2.7 The planning system has been identified as a key tool which can contribute to addressing the rising obesity trend. Planning has the ability to create physical environments which promote healthy lifestyles through measures such as restricting fast food takeaway outlets on high streets.
- 2.8 At present, applications for changes of use to takeaways are assessed against retained Local Plan (1997) policies SH10 (Non-retail uses in district and local shopping centres), SH11 (Non-retail uses in neighbourhood shopping parades) SH12 (Non-retail uses in other parades and isolated shops). These policies are to be replaced by policies SAP21 and SAP22 of

the Site Specific Allocation and Policies Development Plan Document in due course.

- 2.9 The existing, retained Local Plan and the proposed Site Specific Allocations policies seek to manage the number of takeaways in the Borough by ensuring that the retail function and viability of shopping areas is not harmed by an overconcentration of non A1 (retail) uses. The policies are not specifically designed to address health concerns.

3.0 ISSUES, OPTIONS AND ANALYSIS OF OPTIONS

- 3.1 Thurrock has 98 hot food takeaways; 93 of which are within 800m of a school and 54 of which are within 400m of a school. Figure 1 indicates the location of takeaways within the Borough.
- 3.2 Research indicates that once obesity is developed, it is difficult to treat. An obese adolescent is likely to remain so during adulthood, which may lead to associated obesogenic diseases and reduced life expectancy. In an effort to establish appropriate healthy eating habits and reduce the rate of childhood obesity in the local population the Council is considering restricting the number of hot food takeaways within 400m (or other suitable distance) of primary and secondary schools.
- 3.3 A 2008 report from the Nutrition Policy Unit of London Metropolitan University found that food outlets in close proximity to and surrounding schools were an obstacle to secondary school children eating healthily, with many shops offering child-sized portions at child-sized prices. Another study has established that children who attend schools near fast food restaurants were more likely to be obese than those whose schools do not have fast food restaurants nearby (Currie et. al. 2009).
- 3.4 Whilst pupils in primary education should not be allowed out of school premises during the school day, research has indicated that the most popular time for purchasing food from shops is after school.
- 3.5 Hot food takeaways differ in purpose from restaurants or cafes (Class A3), drinking establishments (Class A4) and shops (Class A1). This report specifically addresses hot food takeaways, designated in planning terms as Use Class A5 under the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 3.6 The definition of a Class A5 hot food takeaway is an establishment whose primary business is the sale of hot food for consumption off the premises.
- 3.7 Addressing the location and concentration of takeaways in Thurrock alone will not solve the obesity crisis, but could help children to establish healthier eating habits.
- 3.8 The London Borough of Barking and Dagenham adopted a SPD (Supplementary Planning Document) titled 'Saturation Point – Addressing the

health impacts of hot food takeaways' in July 2010. The SPD sets out the following:

- I. A 400m hot food takeaway exclusion zone is placed around every school and planning permission for new takeaways will not be granted in this area
- II. Hot food takeaways will be granted outside the exclusion zone within certain town centres providing it will lead to:
 - a. No more than 5% of the units within the centre or frontage being hot food takeaways;
 - b. No more than two units being located adjacent to each other;
 - c. There being no less than two units which are not takeaways between a group of hot food takeaway.
- III. If a hot food takeaway is deemed appropriate a fixed fee of £1000 is charged and will contribute towards incentives to tackle childhood obesity in the Borough.

3.9 The SPD recognises that the Council is a major property owner and sets out that where opportunities arise, the Council will work with landlords to reduce the number of hot food takeaways in its properties.

3.10 The SPD recognises that the introduction of exclusion zones could result in an increase in the number mobile hot food takeaway vans selling hot food takeaways in the Borough and introduces licensing controls.

OPTION 1: Do nothing

3.11 In this scenario, applications for change of use to takeaways will be considered in line with existing planning policy, where the focus is upon the retail vitality of shopping areas.

OPTION 2: Investigate options to develop specific planning policy to address the health impacts of hot food takeaways (Use Class A5)

3.12 In this scenario, the Council would seek to incorporate specific planning policy (either via an SPD or Core Strategy policy) into the suite of LDF documents.

3.13 It should be recognised that preparation of LDF documents is not a 'once and for all activity'. It is essential to check that the policy, once adopted, is being implemented correctly, that the desired outcomes are being achieved and if not, what corrective action needs to be under taken.

3.14 The policy would be primarily implemented through the development management process and the determination of planning applications. Where a review is required, a timetable for this activity will be included in the Local Development Scheme as resources permit.

3.15 Changes in National or Regional Planning Policy or progress on Development Plan Documents, which form a part of the Local Development Framework, may also prompt the need for further reviews.

4.0 CONSULTATION (including Overview and Scrutiny, if applicable)

4.1 The views of the Planning, Transport and Regeneration Overview and Scrutiny Committee are being sought on the proposals contained within this report.

5.0 IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

5.1 The introduction of planning policy to address the health impacts of hot food takeaways would assist the Council in achieving its corporate strategic priorities by improving health and well-being.

6.0 IMPLICATIONS

6.1 Financial

Implications verified by: **Sean Clark Head of Corporate Finance**
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Option 2 could provide opportunity to secure funding towards incentives to tackle childhood obesity in the Borough.

6.2 Legal

Implications verified by: **Philip Cunliffe-Jones, Principal Regeneration Solicitor**
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Planning policy could be used to set out the Council’s overall guidance on addressing the health impacts of hot food takeaways (Use Class A5) as part of a strategic approach to tackling the Borough’s obesity problem, and particularly childhood obesity. It could advise on the appropriate location and concentration of such premises, but would have to support policies of the Core Strategy. Such policy would not have the same status as the development plan but would be an important material consideration in the determination of planning applications.

6.3 Diversity and Equality

Implications verified by: **Samson DeAlyn**
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There are no diversity or equality implications noted in this report as it deals with planning issues and decisions which need to be taken within statutory guidelines.

6.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

This report has been written in collaboration Jo Ferrie, Health Improvement Officer (Public Health).

APPENDICES TO THIS REPORT:

Figure 1: Location of takeaways within the Borough.

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