

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	4 SEPTEMBER 2018	4
OBESITY, HOT FOOD TAKEAWAYS AND SPATIAL PLANNING			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

It is estimated that the NHS in England spent £6.1 billion on overweight and obesity-related ill-health in 2014 to 2015. Tackling obesity requires a whole system approach, with local authorities, health services and commissioners all playing their part. In Lancashire approximately 67% of the adult population are living with excess weight. High levels of excess weight are also prevalent amongst the children of Lancashire, with the highest prevalence being found in the most deprived wards.

Obesity is a complex issue and requires a multifaceted approach. One element of this approach is working together to limit the over proliferation of hot food takeaways. Between 2012 and 2016 every district in Lancashire saw increases in the numbers of fast food outlets, and Lancashire as a whole has seen an increase of 20%. In Lancashire 48.7% of fast food outlets fall within wards that sit in the 20% most deprived nationally.

Based on a review of evidence and implemented planning policies from other areas, the Hot Food Takeaways and Spatial Planning Public Health Advisory Note recommends that local planning authorities consider the development of policies or supplementary planning documents that include:

- A 400m restriction zone for new hot food takeaways surrounding secondary schools – limiting children's access to unhealthy food
- Refusing applications for new hot food takeaways within wards where more than 15% of year 6 pupils and 10% of reception pupils are classed as obese
- Prevent the clustering of too many hot food takeaways in deprived neighbourhoods

At a Full Council meeting at Lancashire County Council on the 19th July 2018, Elected Members voted unanimously in favour of approving these resolutions. The Leader of the County Council; the Cabinet Member for Economic Development, Environment and Planning; the Cabinet Member for Health and Wellbeing and the interim Chief Executive and Director of Resources subsequently wrote to the Chief Executives and Leaders of each of the 12 Lancashire District Councils with a request to support these resolutions at a local level.

RECOMMENDATION

The Environment, Health and Housing Committee is requested to consider the request from Lancashire County Council outlined below:

1. A 400m restriction zone for new hot food takeaways surrounding secondary schools – limiting children's access to unhealthy food; Refusing applications for new hot food takeaways within wards where more than 15% of year 6 pupils and 10% of reception pupils are classed as obese; Prevent the clustering of too many hot food takeaways in deprived neighbourhoods
2. If the Committee support recommendation 1, they are subsequently requested to make a recommendation to the Planning Committee to agree the principle of the policy and look to incorporate it within the Healthy Living SPD which will be prepared in line with the Planning Policy team's work plan.

SUMMARY OF PREVIOUS DECISIONS

N/A

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. The health and wellbeing of individual people and local communities is effected by a wide range of factors, including the built environment. Spatial planning can be used to address a range of health issues such as air quality, physical inactivity, social isolation and obesity.
2. Chapter 8 of the National Planning Policy Framework (NPPF) is devoted to promoting healthy and safe communities. It advises that planning policies and decisions should aim to 'enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through ... access to healthier food...'. The NPPF also advises that planning policies and decisions should 'take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.'
3. Lancashire County Council's Director of Public Health is seeking to collaborate with local planning authorities (LPAs) to take account of local health issues and considerations, through the provision of health data and advice.
4. It is widely acknowledged that local planning authorities could help to tackle the increasing health issues of excess weight and obesity in the country through stricter control of the development of hot food takeaways.
5. Hot food takeaways are specified as A5 use class under the Town and Country Planning (Use Classes) Order 1987 (as amended) and LPAs have generally pursued two options when looking to restrict A5 development for health reasons, namely:
 - Refusing applications or restricting opening hours for A5 development that fall within a prescribed proximity to secondary schools (and in some cases also primary schools and youth facilities)
 - Refusing applications for A5 development in deprived areas where there is already deemed to be an oversaturation of such uses as a percentage of the business uses within an area.
6. Seven of the twelve Lancashire districts have significantly higher excess weight prevalence than the national average of 64.8%; Fylde is ranked at number five with 68.1% of the adult population living with excess weight.
7. High levels of excess weight are prevalent amongst the children of Lancashire, with the highest prevalence figures being found in the most deprived wards in the county. In Fylde, 25.3% of year 6 children are living with excess weight.
8. Lancashire County Council Public Health are committed to supporting Lancashire residents to adopt healthier lifestyles through a comprehensive behaviour change approach, including tackling obesity and physical inactivity.
9. Most Lancashire districts have significantly more fast food outlets per 100,000 population than the England average of 87.8. The overall figure for the Lancashire 12 is 121.9 per 100,000 population; Fylde is ranked at eight with rate of 102.5.

10. The National Institute of Clinical Excellence (NICE) states that reducing salt and saturated fat intakes will reduce morbidity and mortality rates from cardiovascular disease. Furthermore, sections of the population who regularly eat fried fast-food may be consuming substantially higher amounts of trans-fats which are a significant health hazard.
11. In light of the overwhelming evidence regarding the detrimental impact of food from hot food takeaways and the informal eating out sector on the health and wellbeing of the local population, Lancashire County Council Public Health have recommended the following principles are included in local plan policies:

- **A 400m restriction zone surrounding secondary schools**

The policy benchmark of a 400m restriction zone surrounding schools (and/or a restriction on A5 use opening hours within the restriction zone) has been tried and tested by an increasing numbers of local authorities at this point. This exclusion approach will help to limit secondary school children's access to unhealthy food at lunchtimes and immediately after school and would work best if implemented alongside healthy eating policies *within* schools. This is an area in which local authorities and schools can work together in partnership for the benefit of children's health.

- **Refusing new A5 uses within wards where more than 15% of year 6 pupils and 10% of reception pupils are classed as obese**

In order for policy such as this to be adopted, there must be evidence in place to demonstrate that there is a problem to be dealt with. This approach is based on targeting those neighbourhoods which have an evident problem because they sit within the top two quintiles nationally for obesity. Data on child excess weight and obesity at ward level is available through www.localhealth.org.uk.

- **Prevent the clustering of A5 uses in deprived neighbourhoods**

Many local authorities already have policies that seek to prevent A5 clustering from the perspective of the character, function, vitality or viability of an area. However these policies are justified, they are also useful for addressing the issue of obesogenic environments.

- **Presentation of local and national evidence and circumstances**

The Hot Food Takeaways and Spatial Planning Public Health Advisory Note contains numerous signposts to data, evidence and guidance, all of which can be used to make the case for Hot Food Takeaway planning policies. Joint Strategic Needs Assessments, mapping exercises, research studies, and public consultations can all contribute to building a compelling, evidence based argument. Lancashire County Council Public Health can assist in pulling together relevant local evidence.

12. If the planning system is to be used as a tool to improve the health of the population, the policies should be joined up with healthy weight strategies and backed by the Health and Wellbeing partnerships and boards. It is hoped that if Lancashire Local Planning Authorities (LPAs) take account of these recommendations, that any resultant local plan policies restricting hot food takeaway developments, will be as robust as possible.
13. A clear evidence base and justified policy wording, should result in the policies being found to be 'sound' by the Planning Inspectorate and subsequently become the adopted policy. It is important that any adopted policy provides strong grounds that enable the policy to be used as grounds for refusal in planning application decision making and that the decision is capable of being upheld at any subsequent appeal proceedings.
14. A review of planning applications over the last 10 years (2009-2018) has revealed that 14 proposals to change the use of premises to hot food takeaways (including those proposed to allow cafes and restaurants to sell takeaway food) were submitted to the council for consideration.
15. The Environment, Health and Housing Committee is requested to consider the recommendations proposed by Lancashire County Council Public Health; if Members support this recommendation they are subsequently requested to make a recommendation to the Planning Committee to agree the principle of the policy and look to incorporate it within the Healthy Living SPD which will be prepared in line with the Planning Policy team's work plan.

IMPLICATIONS	
Finance	There are no direct financial implications arising from the report
Legal	There are no direct legal implications arising from the report
Community Safety	There are no direct community safety implications arising from the report
Human Rights and Equalities	There are no direct human rights and equalities implications arising from this report
Sustainability and Environmental Impact	Introduction of additional litter bin provision along the coastline will have a positive impact on the amenity and cleanliness of the area
Health & Safety and Risk Management	There will be no direct health & safety and risk management implications arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection

Attached documents

Appendix 1 - Obesity, Hot Food Takeaways and Spatial Planning, Public Health Advisory Note, Director of Public Health and Wellbeing, Dr Sakthi Karunanithi MBBS MD MPH FFPH