

TRAFFORD COUNCIL

Report to: Health & Well Being Board
Date: 13th July 2018
Report for: Information / Decision
Report of:

Report Title

Supplementary Planning Document for Hot Food Takeaways: healthy eating and school children

Purpose

To raise awareness of the Supplementary Planning Documents implemented in other GM authorities and to consider whether to implement an SPD in Trafford

Recommendations

That the Health & Wellbeing Board agrees that a Supplementary Planning Document should be implemented in Trafford to restrict hot food takeaways within 400m of a school

Contact person for access to background papers and further information:

Name: Eleanor Roaf

Introduction

An SPD (supplementary planning document) provides information and further guidance on policies within an authority's Local Plan.

Of the 10 Greater Manchester authorities 7 have a SPD for Hot Food Takeaways (known as an A5 business). 5 of those have updated their guidance to include a policy on healthy eating and school children. This includes creating a 400m exclusion zone around secondary schools and / or implementing restrictive opening hours around school lunch and leaving times.

Bury, Stockport and Tameside do not have a Hot Food Takeaway SPD.

Trafford and Wigan both have a Hot Food Takeaway SPD however they do not include a policy on health. These documents are from 1993 (Trafford) and 2004 (Wigan).

Both Oldham and Rochdale make reference to public health within their SPD's however do not have a specific policy relating to healthy eating and school children:

- Oldham (2012): Matter 4 – Health and Wellbeing – *“When determining applications the council will have regard to the boroughs health and wellbeing priorities plans and programmes... These have identified, amongst other things, health as an issue to be addressed. In particular, health inequalities and problems associated with people and children who are overweight or obese”.*
- Rochdale (2015): C6 – Improving Health and Wellbeing - *“Not allowing the over concentration of takeaway food premises where they may impact adversely on the amenity of residents and/or encourage unhealthy eating habits*

Since the introduction of Oldham SPD, there have been 39 applications for A5 premises; 16 have been granted, 23 have been refused. It is assumed the SPD was taken into consideration however each application would need checking individually.

Bolton, Manchester and Salford all have updated their SPD's to include policies on hot food takeaways and schools.

Table 1

	Bolton	Manchester	Salford
Date	2013	2017	Jan 2014
Policy title and content	<p>Proximity to schools</p> <p>When the council considers a planning application for a hot food</p>	<p>Policy 3 – Hot Food Takeaways and Schools</p> <p>Where a hot food take away is proposed within 400 metres of a primary or secondary</p>	<p>Policy HFTA 2 – Hot food takeaways and schools</p> <p>Where a hot food take away is proposed within</p>

	<p>takeaway (A5), it will take into account the proximity of the proposal to secondary schools... If an application site is within 400 metres of a secondary school, then the council may refuse the application on the grounds that it would be harmful to public health. The council will also take into account the proposed opening hours of a hot food takeaway. If the proposed opening hours do not include lunch-time opening or evening opening before 6pm, then planning permission may be granted, even if a site is within 400 metres of a secondary school.</p>	<p>School..., planning permission will only be permitted subject to the condition that opening hours are restricted to the following:</p> <ul style="list-style-type: none"> - A primary school: the hot food takeaway is not open to the public between 3 pm to 5.30pm on weekdays. - A secondary school: the hot food takeaway is not open to the public before 5.30pm on weekdays... 	<p>400 metres of a secondary school, planning permission will only be granted subject to a condition that the premises are not open to the public before 5pm Monday to Friday and there are no over the counter sales before that time...</p>
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Action taken by the above 3 councils in relation to their SPD's

Bolton

- There is no easy way to pick up every takeaway application within 400m of a secondary school, however don't get very many.
- Overall the number of takeaway applications has reduced and is being replaced by dessert shops, which if move into an existing shop does not need new planning permission.

Manchester

- This policy has been applied on a few occasions as part of planning conditions however no enforcement cases have been raised relating to compliance of restricted hours.
- The council are currently in receipt of an appeal relating to the dispute of a planning condition where limited hours of use have been applied. The appeal is in its infancy and the outcome awaited.

Salford

- No application within the city has been refused on the grounds of policy HFTA 2
- There have been 4 A5 applications where policy has been applied and a restrictive operation condition has been attached.
- One of these four appealed the restrictive hours however this was dismissed
- One of these four decided not to open due to the restrictive hours condition

Other Work

After a brief internet search other authorities have also adopted a healthy eating policy within their Hot Food Takeaway SPD. Many focus on a 400m exclusion zone from secondary schools / colleges and / or restricted operating hours. However some authorities have used variations of this such as a 10 minute walk from school gates or increased the boundary area to include youth facilities and parks:

Examples:

- Newcastle Council (2016): HFT1 – Proximity to secondary schools: Planning permission will not be granted for new hot food takeaways within a 10 minute walk from any secondary school entrance
- Bradford Council (2014): Proximity to schools, youth facilities and parks: Hot food takeaways will be restricted where they fall within a 400m boundary of an existing primary or secondary school or youth centre facility or a recreation group or park boundary
- Sandwell Council (2016): HFT1.1 Proximity to schools: No new Hot Food Takeaway Developments will be permitted where they are within 400 metres of a secondary school or college site (as measured in a direct line from the school entrance(s) used by pupils/students)
- St Helens Council (2014): 5.1 SPD Implementation Point 1 – Schools, Health and Town Centres: Planning permission for a hot food takeaway will only be granted provided it is located beyond a 400m exclusion zone around any primary or secondary school or college either within or outside LEA control