

**Report To:            Licensing Committee**

**Date of Meeting:    11<sup>th</sup> June 2014**

**Lead Member / Officer:    Cllr. David Smith, Public Realm  
   Angela Loftus, Planning & Public Protection Policy  
   Manager**

**Report Author:        Claire MacFarlane, Planning Officer**

**Title: Draft Supplementary Planning Guidance – Hot-food takeaways**

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**1.        What is the report about?**

1.1        This report accompanies a draft Supplementary Planning Guidance (SPG) document on hot-food takeaways which, once adopted, will be used in the determination of planning applications.

**2.        What is the reason for making this report?**

2.1        To provide information, and request comments, regarding the content of the draft SPG prior to seeking approval from Planning Committee to undertake a public consultation.

2.2        Members of the Local Development Plan (LDP) Member Steering Group have requested that the draft SPG be presented to Licensing Committee prior to approval by Planning Committee.

**3.        What are the Recommendations?**

3.1        The recommendation is that Licensing Committee receives this report and draft SPG for information, and provides comments to inform the final draft for consultation.

**4.        Report details.**

4.1        Following the adoption of the LDP on 4th June 2013, Council agreed to carry forward the existing series of SPGs, including SPG 11 – Hot food takeaways. However, given the differences between the previous Unitary Development Plan (UDP) and LDP policies, and changing context since the current SPG was adopted in 2003, it is considered appropriate to produce an updated SPG on this topic. If adopted, the updated SPG will be a material planning consideration when assessing planning applications.

4.2        The SPG supplements the LDP policies by providing further guidance (for the Council, developers and the public) on acceptable locations and operational matters which must be addressed as part of any planning application. It is proposed to carry forward the majority of the requirements included in the

current SPG. The main change in guidance is the proposed introduction on the restriction of new hot-food takeaways within 400m of any school boundary.

- 4.3 The draft SPG will be presented to Planning Committee on 30<sup>th</sup> July for approval to consult. The public consultation period would be a minimum of 8 weeks and is anticipated to start in September 2014. The results of the consultation will be reported back to Planning Committee with a final SPG for adoption.

## **5. How does the decision contribute to the Corporate Priorities?**

- 5.1 *Corporate priorities 2012-17.* Once adopted, the SPG will contribute to the following Council priority:
- Developing the local economy – by providing guidance for businesses seeking to develop takeaways in Denbighshire.

## **6. What will it cost and how will it affect other services?**

- 6.1 Receiving this report for information, and subsequent adoption of the SPG, is not anticipated to create any additional cost.

## **7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.**

- 7.1 An EqIA is not considered necessary for this information report. The guidance contained within the draft SPG supplements the policies in the LDP, for which a full EqIA was undertaken in May 2011.

## **8. What consultations have been carried out with Scrutiny and others?**

- 8.1 Formal public consultation will be carried out following approval by Planning Committee. Informal consultation on the draft SPG has been carried out with officers in the Housing & Community Development Service, Planning & Public Protection Service, Education Service, Highways & Environmental Services and Public Health Wales.
- 8.2 Member input on the content of the SPG has also been provided through a workshop session held with the LDP Members Steering Group.

## **9. Chief Finance Officer Statement**

- 9.1 Any costs associated with this guidance should be contained within existing budgets.

## **10. What risks are there and is there anything we can do to reduce them?**

- 10.1 Without an updated SPG, the Council will be unable to implement the requirements it considers necessary when determining planning applications for hot-food takeaways. The existing SPG supplements the policies in the

Unitary Development Plan, which was replaced by the LDP in June 2013, and is therefore out of date.

## **11. Power to make the Decision**

### 11.1 Planning & Compulsory Purchase Act (2004).