

APPENDIX 2

Report of Consultation

Supplementary Planning Guidance:

Hot Food Takeaways

April 2015

1. Introduction

- 1.1 This report sets out the consultation that was undertaken on the draft Supplementary Planning Guidance (SPG): Hot Food Takeaways, including a summary of the responses received and how they have been taken into account by the Council.
- 1.2 The Council consulted the public on the draft SPG for a period of 12 weeks between 1st December 2014 and 13th February 2015. The consultation included public notices in local papers, press releases, and a letter to all people on the Local Development Plan database, including (but not limited to): City, Town and Community Council; Councillors; Assembly members; Members of Parliament; adjacent local authorities and the general public informing them of the consultation and telling them how to respond. Copies of the document were made available on the Denbighshire County council website, in public libraries and Council One Stop Shops.

2. Responses received

- 2.1 Four responses to the consultation were received, from Planware Ltd (on behalf of McDonalds), Natural Resources Wales, Campaign for the Protection for Rural Wales and the Coal Authority. The responses raised the following issues:
- Limiting the number and location of hot food takeaways is unjustified and inconsistent with national policy
 - There is a lack of evidence linking proximity of takeaways to schools to adverse health consequences
 - No consideration has been given to the health impacts of other uses therefore the proposed approach will be ineffective
 - Limiting the number and location of hot food takeaways will have a disproportionate effect on land use planning and the economy.
- 2.2 A summary of the consultation responses are included at the end of this report in Table A.

3. Changes proposed

- 3.1 Taking account of the consultation responses received, it is not proposed to make any changes to the draft SPG.

TABLE A: Consultation responses

Representor	Organisation	Comment (summary)	Council's response	Changes proposed
Deb Roberts	The Coal Authority	No comments to make.	Comment noted.	No change proposed.
MW Moriarty	Campaign for the Protection of Rural Wales (CPRW)	No comments to make.	Comment noted.	No change proposed.
Deborah Hemsworth	Natural Resources Wales (NRW)	No comments to make.	Comment noted.	No change proposed.
Benjamin Fox	Planware Ltd. (representing McDonalds)	Limiting the number and location of hot food takeaways would be inconsistent with the National Planning Policy Framework and is not a positive approach to planning.	<p>The National Planning Policy Framework applies only in England.</p> <p>Planning Policy Wales states that 'policies, decisions and proposals should... contribute to the protection and, where possible, the improvement of people's health and well-being as a core component of sustainable development'.</p> <p>The SPG does not propose to limit the number of takeaways, rather their proximity to schools in order to assist in addressing childhood overweight /obesity and associated health problems, which are well-documented. It is considered the proposed</p>	No change proposed.

Representor	Organisation	Comment (summary)	Council's response	Changes proposed
			approach is consistent with national planning principles and sustainable development.	
		There is no adequate evidence to justify the underlying assumption that locating hot food takeaways within certain distances of schools causes adverse health consequences. This lack of evidence has been confirmed in a number of planning decisions.	Welsh Government's Preventing Childhood Obesity Steering Group report 'Turning the Curve on Childhood Obesity in Wales' (February 2015), includes a range of practical recommendations on how to prevent easy access to less healthy eating options, including restricting new takeaways or fast-food restaurants near schools. The SPG also refers to similar recommendations contained within NICE public health guidance and the 'All Wales Obesity Pathway'.	No change proposed.
			The planning decisions referred to were made in different contexts from the SPG and involved other factors which affected each decision.	
		No consideration has been	It is recognised that	No change proposed.

Representor	Organisation	Comment (summary)	Council's response	Changes proposed
		<p>given to other A class uses and their contribution or impact on daily diet or wellbeing. The suggested approach is therefore not holistic and will not achieve the principle aim.</p>	<p>supermarkets, shops etc may also contribute to unhealthy food choices. However, shops and supermarkets offer a far greater choice of food and other services therefore restricting their locations is considered to be disproportionate. The purpose of the SPG is to provide guidance on applications for hot food takeaways only.</p> <p>National strategies and guidance recognise that no one action alone will address health and obesity issues but restricting the location of hot food takeaways can be considered as one part of tackling the problem.</p>	
		<p>Restricting the location of hot food takeaways would have a disproportionate effect on land use planning and could stifle economic development.</p>	<p>Restrictions on the location of hot food takeaways would not apply to existing takeaway businesses.</p> <p>Planning Policy Wales states that the planning</p>	<p>No change proposed.</p>

Representor	Organisation	Comment (summary)	Council's response	Changes proposed
			<p>system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated when taking decisions. As referred to above, PPW also recognises the importance of considering health and well-being as a core component of sustainable development. It is considered that restricting new hot food takeaways around schools is a proportionate and justified approach in tackling childhood obesity and associated health problems.</p>	