

Control of Hot Food Takeaways and Betting Shops

Supplementary Planning Document

September 2017

1. Introduction

1.1 This Supplementary Planning Document (SPD) sets out guidance on how the development of uses with the potential to cause harm to health and wellbeing should be controlled within Sefton. Through a process of scoping this has come to include hot food takeaways and betting shops.

1.2 This SPD specifically supplements the following policies of Sefton's Local Plan:

- EQ1 Healthy Sefton
- EQ10 Food and Drink

1.3 Other Local Plan policies considered in this SPD pertinent to the development of hot food takeaways and betting shops include:

- ED2 Retail, leisure and other town centre uses
- HC3 Primarily Residential Areas
- EQ2 Design
- EQ3 Accessibility
- EQ4 Pollution and Hazards

1.4 This SPD is not part of Sefton's Development Plan (the Local Plan) but is a material consideration which will be taken into account in the determination of planning applications.

Hot Food Takeaways

1.5 Hot food takeaways provide products and services that can adversely impact on health and wellbeing. These premises typically sell low cost, energy-dense meals with little nutritional value that can contribute towards obesity and its ensuing health issues. This SPD provides guidance on appropriate locations for new hot food takeaways, taking into account factors such as the concentration of similar premises in the vicinity and the proximity of secondary and further education establishments. By limiting new outlets in sensitive locations, this will help promote healthy communities and maintain the character, vitality and viability of our high streets.

1.6 Other aspects which may be controlled through the planning process include protection of residential amenity, hours of operation, highway safety, design – particularly of flues, shutters and advertisements and litter, crime and anti-social behaviour.

1.7 Hot food takeaways require a Premises License under the Licensing Act 2003 where they operate between the hours of 23:00 and 05:00. A primary objective of this legislation is to prevent 'public nuisance'. This however does not preclude the need for such conditions as appropriate hours of operation to be applied to an Approval Notice. Further guidance can be found at: <http://www.sefton.gov.uk/business/licensing-registration/entertainment,-alcohol-and-late-night-refreshment.aspx>

Betting Shops

1.8 The increase in popularity of Fixed Odds Betting Terminals within betting shops is thought to have contributed to rising rates of problematic gambling. This SPD provides guidance on appropriate locations for new betting shops, taking into account the concentration of similar premises in the vicinity. By limiting new outlets in areas that have an over-concentration of betting shops, this will help promote healthy communities and maintain the character, vitality and viability of our high streets.

1.9 Other aspects which may be controlled through the planning process include protection of residential amenity, design – particularly of shutters and advertisements and litter, crime and anti-social behaviour.

1.10 Betting shops also require a Premises License under the Gambling Act, 2005. Local authorities are tasked with enforcing the license which, amongst other objectives, aims to protect vulnerable persons from being exploited by gambling. The process of granting a Premises License for a betting shop considers the location and extent of the proposed unit. Paragraph 210 of the Act states a Premises License and planning permission should be determined wholly independent of one another. Planning permission is necessary to manage a wide range of issues which a Premises License does not, principally design. Further guidance can be found at: <http://www.sefton.gov.uk/business/licensing-registration/gambling.aspx>

Other Uses with the Potential to Harm Health and Wellbeing

1.11 A number of other retail and leisure uses also have the potential to cause harm to health and wellbeing – primarily through the sale of alcohol and tobacco. This SPD does not however address off licenses and premises selling cigarettes (Class A1 uses), or public houses and bars (Class A4 uses). In the case of premises selling cigarettes, these can include corner shops and supermarkets which sell a wide range of goods that do not necessitate such control measures as contained within this SPD. The number of public houses nationally, some of which may be registered as Assets of Community Value by local communities, are known to be in decline. It would be counterintuitive to restrict the development of new pubs as these may be located in new residential areas or on Employment sites, where they fulfil a useful function.

1.12 Initial screening of this SPD included Legal High Shops (Class A1) and Pay Day Loan shops (Sui Generis); however emerging legislation restricting the products and services provided by such premises no longer warrants their inclusion within this SPD. The control of shops selling E-cigarettes was also considered, however insufficient evidence exists implicating major health concerns and few shops are known to exclusively sell these products in the Borough. At this stage planning cannot be considered an appropriate control mechanism.

1.13 Tanning salons have been linked to skin cancer, due to the association between sunbeds and high levels of UV radiation. Sefton has a higher incidence of malignant melanoma than national average (Public Health England, 2015). Despite this, tanning salons

have been excluded from this SPD due to a general lack of established regulation. In England tanning salons do not currently require a Premises License, which may be the most effective tool to regulate such premises in the future prior to any intervention through planning.

1.14 This document will be reviewed on the basis of new legislation and further evidence coming forward and their implications for planning.

2. Planning Context

Use Classes

2.1 The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. Hot food takeaways fall within Use Class A5, whilst betting shops do not fall within any specified use classes, and are known as a 'Sui Generis' use. This means that no permitted development rights apply.

2.2 The 2005 Use Classes Amendment Order was the first to establish Class A5 having subdivided the broad A3 Food and Drink Use Class. This step was taken to acknowledge the varied environmental issues that hot food takeaways present, and hand Local Authorities greater control over their development. Betting shops were reclassified from Class A2 to 'Sui Generis' in the 2015 Use Classes Amendment Order in order to differentiate the function of traditional financial and professional services and the gambling industry.

National policy

2.3 The National Planning Policy Framework (NPPF) was published in 2012; it sets out the Government's planning policies for England. Within the NPPF is a presumption in favour of sustainable development aimed at equally safeguarding economic, social and environmental interests. In the context of this SPD the social role (paragraph 7) involves 'supporting strong, vibrant and healthy communities, by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being'. In addition, Para 17 (12) - (Core Planning Principles) states that planning should: "take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs."

2.4 Paragraph 23 of the NPPF states town centres are 'at the heart of their communities and policies should support their viability and vitality'. Paragraph 69 states 'the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities'. Paragraph 171 also states that: "*Local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation and places of worship), including expected future changes, and any information about relevant barriers to improving health and well-being.*"

2.5 Paragraph 2 of the Health and Wellbeing Planning Practice Guidance (PPG) reinforces the policies of the NPPF and confirms that 'the link between planning and health has been long established. The built and natural environments are major determinants of health and wellbeing'.

2.6 The Royal Town Planning Institute's Good Practice Note 5 – *Delivering Healthy Communities* (2009) similarly states that 'spatial planning has a key role to play in shaping

environments which make it possible for people to make healthier choices about exercise, local services, travel, food, nature and leisure’.

Sefton Local Plan

2.7 The Sefton Local Plan is the key development document for the Borough setting out principles for the period 2015 to 2030. The Plan encourages sustainable development and economic growth and it gives current and future generations more opportunities to live and work in Sefton’s outstanding environment. Generally it consists of planning policies for the Borough and site allocations for housing and employment.

2.8 The Plan is at an advanced state, as an independent Inspector’s Initial Findings have been received following examination of the Plan, and subsequent Modifications were consulted on in June/July 2016. The Local Plan is expected to be adopted in 2017. This provides the planning policy that this SPD supports. Specifically, this SPD specifically supplements the following policies of Sefton’s Local Plan:

- EQ1 Healthy Sefton
- EQ10 Food and Drink

These policies are provided in Appendix A.

3. Why is this SPD Needed?

Hot Food Takeaways

3.1 Concerns over hot food takeaways and their accompanying health and wellbeing issues in Sefton have been addressed in a number of recent documents and campaigns. Sefton Council's overarching Health and Wellbeing Strategy aims to improve care, health and wellbeing and narrow the gap between those with the worst and best health and wellbeing prospects. A key objective of the strategy is to 'ensure all children have a positive start in life' and by 2020 Sefton's children and young people will have 'good physical and emotional health and wellbeing and will lead healthy lifestyles' (Sefton Council, 2014). This SPD is considered a key supporting document of the strategy.

3.2 A report to the Shadow Health and Wellbeing Board in 2012 '*Childhood Obesity in Sefton*' identified a number of approaches that could be pursued in order to reduce the rate of childhood obesity in the Borough; one suggestion being the introduction of greater controls over the establishment of hot food takeaways (Sefton Council, 2012).

3.3 This accords with 'Healthy Weight, Healthy Lives: a Cross-Government Strategy for England' which states that 'Local authorities can use existing planning powers to control more carefully the number and location of fast food outlets in their local areas' (Department for Children, Schools and Families, 2008). A recommendation by NICE elaborates on this by encouraging planning authorities 'to restrict planning permission for takeaways and other food retail outlets in specific areas (for example, within walking distance of schools)' (National Institute for Care Excellence, 2010). This advice is supported by the 2014 Public Health England briefing 'Obesity and the environment: regulating the growth of fast food outlets' (Public Health England, 2014).

3.4 The rate of obesity is rising nationally. In Sefton, the Active People Survey (2012) indicated that 19.6% of children in the Borough and 23.6% of adults were obese. The same study also concluded that 68.7% of the Borough's adult population were overweight – all figures of which are worse than national average (Public Health England, 2015). Life expectancies are also considerably lower than national average, although within Sefton itself, this figure fluctuates by up to 12.2 years between the Borough's most and least deprived locations (Public Health England, 2015). This is compounded by poor lifestyle and dietary choices.

3.5 Typical hot food takeaways provide meals with high salt and low nutritional value that have been directly linked to obesity, a high Body Mass Index and diabetes (The Royal Society for Public Health, 2015). It is estimated that health costs associated with overweight and obese individuals in the Borough is £85 million per year (Sefton Council, 2012). The density of hot food takeaways and general ease of access in certain areas has been linked to increased levels of obesity - particularly when involving school premises and children (The Royal Society for Public Health, 2015). Addressing this significant health issue at an early stage is vital in order to support and encourage 'strong, vibrant and healthy communities'.

3.6 Studies have concluded that hot food takeaways are most likely to be concentrated in deprived areas, with the Royal Society for Public Health suggesting ‘this increased presence may be due to increased availability of premises, less resistance to new planning applications by the community and lower rental and purchasing cost as well as greater demand for inexpensive and calorie dense food’ (The Royal Society for Public Health, 2015). In Sefton around 1 in 4 residents live in an area classed as within the 20% most deprived areas in the country (Public Health England, 2015). The highest number of hot food takeaways can be found in Church, Dukes, Derby, Linacre and Litherland wards, all of which are amongst the most deprived wards in England (Department for Communities and Local Government, 2015).

3.7 This demonstrates that there is a strong correlation between childhood obesity rates and exposure to hot food takeaways in Sefton. As the number of hot food takeaways in a ward increases, there is an increase in the percentage of overweight children. Although this is not the only contributing factor, greater access and availability to hot food takeaways can only worsen this health issue.

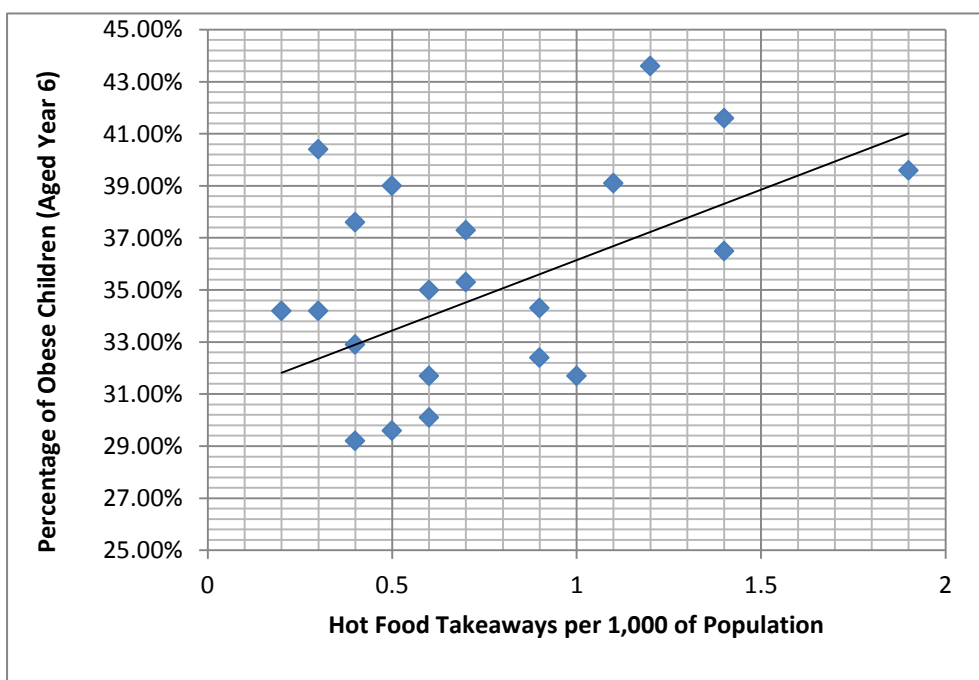


Figure 1: Graph showing the correlation between rates of obesity amongst children in each of Sefton’s wards and the number of hot food takeaways in the ward.

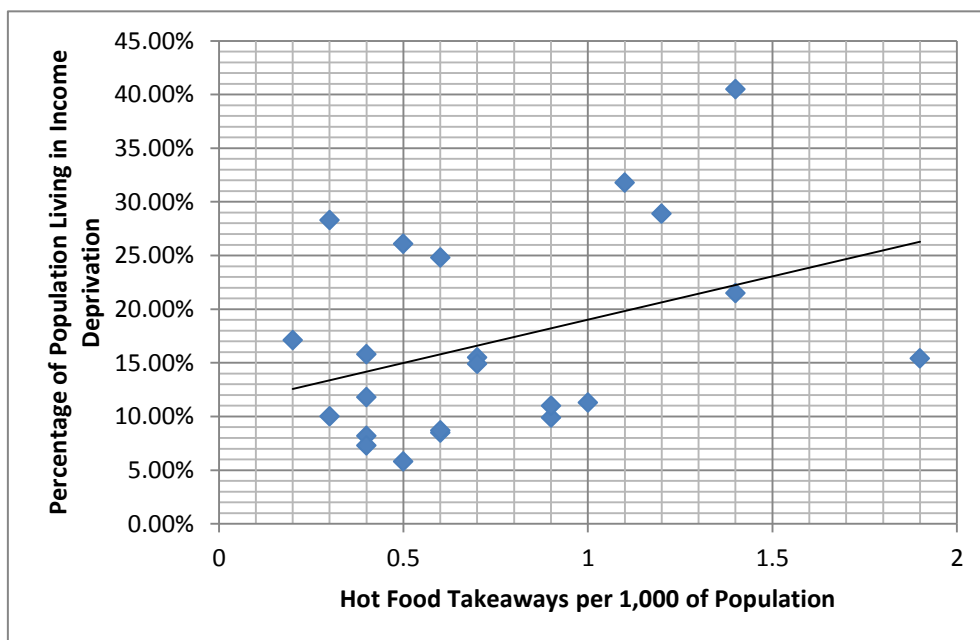


Figure 2: Graph showing the correlation between rates of income deprivation in each of Sefton’s wards and the number of hot food takeaways in the ward.

3.8 Figures 1 - 4 provide evidence that hot food takeaways in Sefton tend to be concentrated in areas with high rates of obesity and deprivation. A multi-disciplinary approach is therefore required to address this issue, including through planning and controlling any greater proliferation of hot food takeaways, especially for the benefit of children.

3.9 The table below details existing hot food takeaways within the Borough by ward (July 2015). Sefton has a significant number of hot food takeaways, with one such premises per 1,300 of the population. This is similar to national average (The Royal Society for Public Health, 2015), although some areas have a much larger concentration. As would be expected, a high number of A5 uses are located in Sefton’s town centres (Dukes in Southport and Derby/Linacre in Bootle). These areas are however also amongst the most deprived, which has been established as principle consideration in the preparation of this SPD.

Hot Food Takeaways		
Ward	Number	Number per 1,000
Ainsdale	5	0.4
Birkdale	13	1.0
Blundellsands	7	0.6
Cambridge	5	0.4
Church	17	1.4
Derby	14	1.1
Dukes	25	1.9
Ford	6	0.5
Harington	6	0.5
Kew	9	0.7
Linacre	17	1.4
Litherland	13	1.2
Manor	2	0.2
Meols	4	0.3
Molyneux	11	0.9
Netherton & Orrell	7	0.6
Norwood	11	0.7
Park	5	0.4
Ravenmeols	5	0.4
St Oswald	4	0.3
Sudell	8	0.6
Victoria	13	0.9
Total	206	0.8

Figure 3: Number and rate of existing hot food takeaways in Sefton per ward.

3.10 The following map shows existing hot food takeaways in Sefton and their concentration in areas of deprivation.

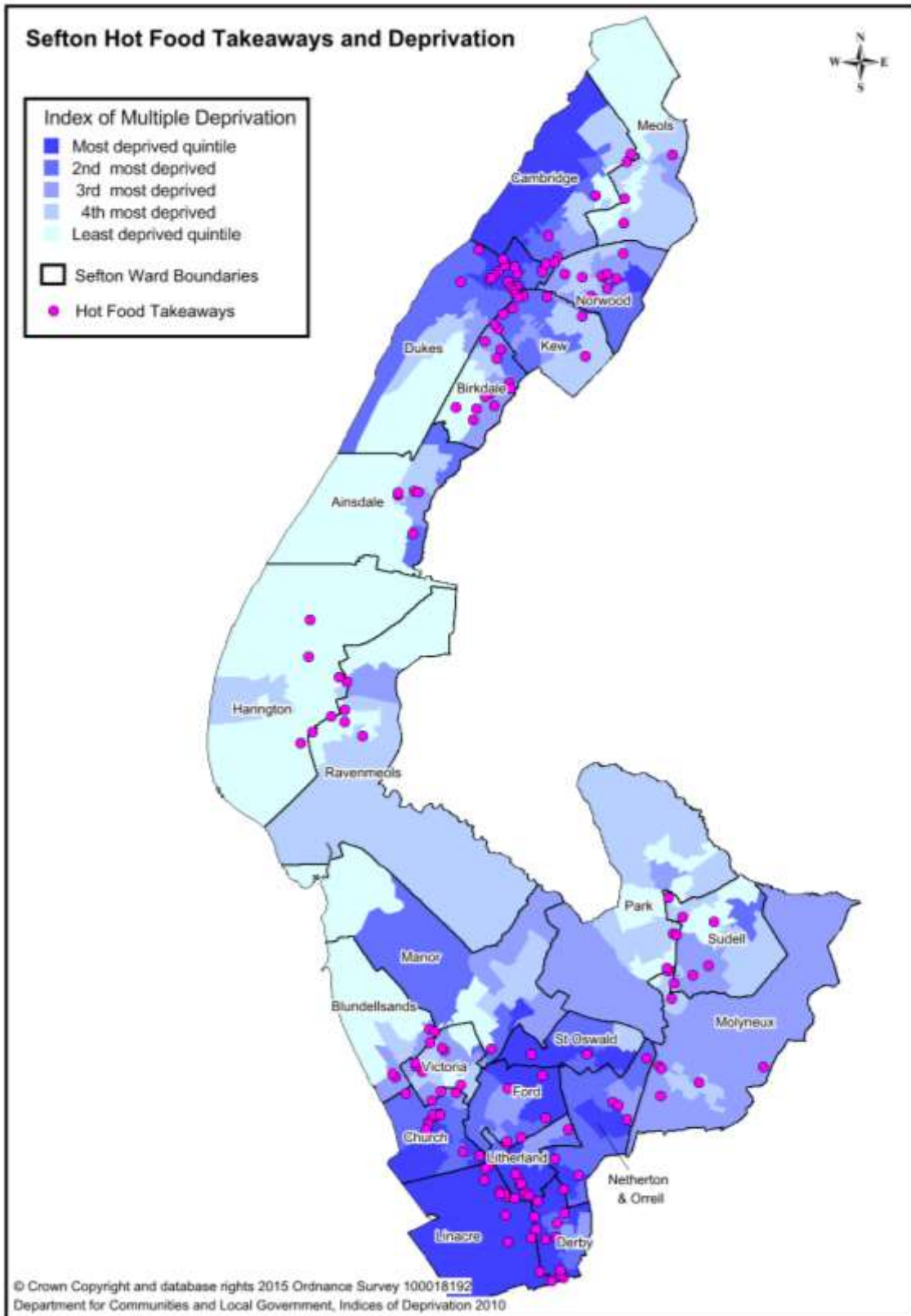


Figure 4: Existing Hot Food Takeaways in Sefton and areas of deprivation

Betting Shops

3.11 Addiction to gambling is classed as a psychological disorder, with over half a million estimated problem gamblers in the UK (NHS, 2015). A 2010 Gambling prevalence study concluded rates of gambling addiction are highest in the country's most deprived areas with the 16-24 male group being particularly vulnerable (Wardle, 2010). Furthermore, there is evidence that betting shops tend to be concentrated in these areas of deprivation targeting low income individuals and increasing the rate of problem gamblers as a result (Wardel, 2014). Fixed Odds Betting Terminals are especially noted for their association with gambling addiction. The rise in popularity of these machines has seen them installed in betting shops across the country. The highest number of betting shops in Sefton can be found clustered in deprived areas, while Sefton as a whole also has a significantly higher number of betting shops per head of the population than national average (see Figures 6 and 7) (Campaign for Fairer Gambling, 2013).

3.12 The Liverpool Public Health Observatory published a report in 2014 '*Fixed Odds Betting Terminal Use and Problem Gambling Across the Liverpool City Region*' in partnership with Sefton Council's Public Health department. This states that tackling 'problematic' Fixed Odds Betting Terminals requires a coordinated response from local and national government, the NHS and the gambling industry as a whole (Liverpool Public Healthy Observatory, 2014). This SPD is therefore just one of many strategies being prepared to curb rates of problem gambling in the Borough.

3.13 There is a moderate to strong correlation between the number of betting shops and the percentage of ward population living in income deprivation. As the percentage of the ward in income deprivation increases, there is a significant increase in the number of betting shops. This supports national evidence and the need to control the proliferation of betting shops in deprived areas of Sefton. The relationship is detailed in the following figure.

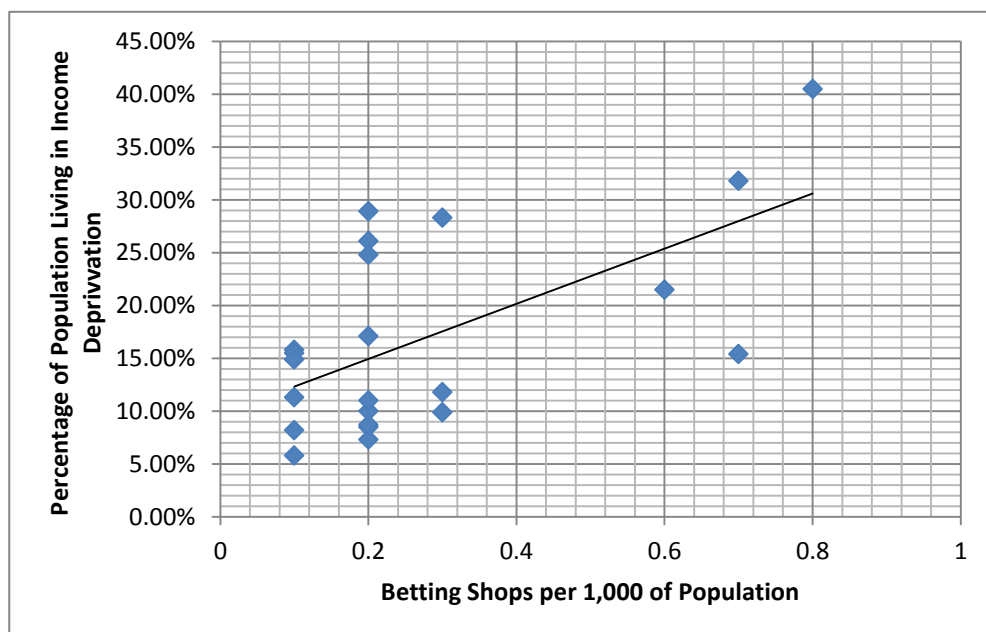


Figure 5: Graph showing the correlation between rates of income deprivation in each of Sefton's wards and the number of betting shops in the ward.

3.14 The table below details existing betting shops within the Borough by ward (July 2015). Sefton has a large number of betting shops, with one such premises per 3,700 of the population, higher than national average (Campaign for Fairer Gambling, 2013). As would be expected, a high number of such uses are located in Sefton's town centres (Dukes in Southport and Derby/Linacre in Bootle). These areas are however also amongst the most deprived, which has been established as principle consideration in the preparation of this SPD

Betting Shops		
Ward	Number	Number per 1,000
Ainsdale	3	0.3
Birkdale	1	0.1
Blundellsands	2	0.2
Cambridge	1	0.1
Church	7	0.6
Derby	9	0.7
Dukes	9	0.7
Ford	3	0.2
Harington	1	0.1
Kew	1	0.1
Linacre	10	0.8
Litherland	2	0.2
Manor	3	0.2
Meols	2	0.2
Molyneux	4	0.3
Netherton & Orrell	2	0.2
Norwood	2	0.1
Park	1	0.1
Ravenmeols	2	0.2
St Oswald	3	0.3
Sudell	3	0.2
Victoria	3	0.2
Total	74	0.3

Figure 6: Number and rate of existing betting shops in Sefton per ward.

3.15 The following map shows existing betting shops in Sefton and their concentration in areas of deprivation.

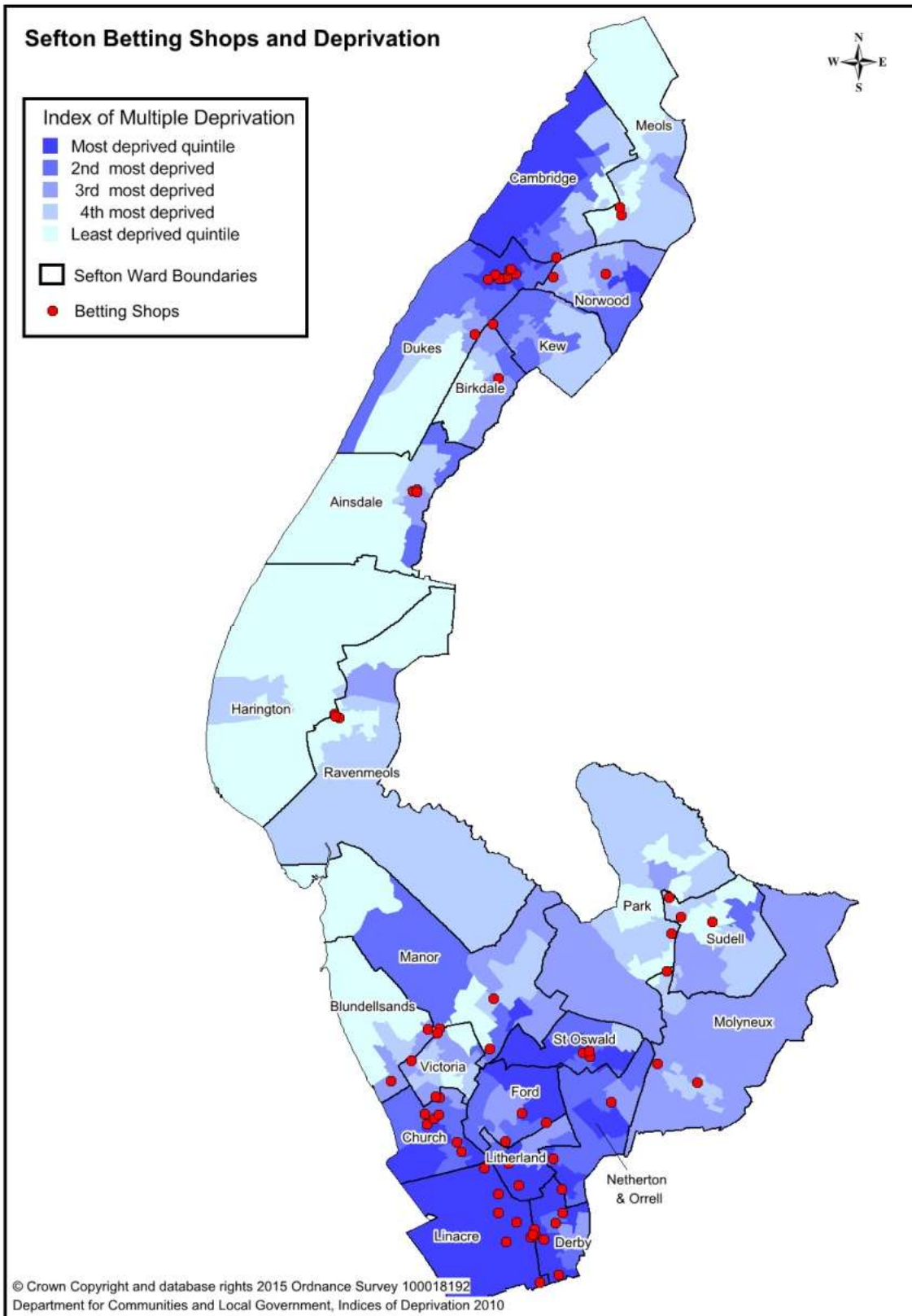


Figure 7: Existing Betting Shops in Sefton and areas of Deprivation

4. Guidance

Location, Concentration and Clustering

4.1 Sefton's high number of hot food takeaways and betting shops are clustered in areas of deprivation and constitute a major concern for the Council and local health providers. In line with policies EQ1 and EQ10 [see Appendix A] consideration should be given to the location of new hot food takeaways and betting shops in order to prevent over proliferation in certain areas and discourage unhealthy lifestyle choices. These uses will therefore normally only be permitted in designated Town, District or Local Centres or Shopping Parades¹ and not elsewhere in Primarily Residential Areas. In other areas [such as industrial areas or retail parks] the proposal will be assessed on its merits taking into account other policy considerations and proximity/accessibility to residential areas.

4.2 To address the issue of overconcentration and unacceptable groupings, planning permission for a hot food takeaway or betting shop will only be granted provided that it will not result in the percentage of that use in a centre or parade exceeding 5% of total commercial units. This limit will be applied separately and not combined (i.e. the Council will allow up to 5% of units as hot food takeaways and up to a further 5% as betting shops). Where there are less than 20 units in a centre or parade, no more than 1 unit of the specific use (i.e. one hot food takeaway and one betting shop) will be permitted. These figures are appropriate, yet not unduly restrictive based on the Borough's current retail environment.

4.3 Further to the above, it is expected that a proposal for a takeaway or betting shop should not cause the percentage of total units in A1 use in primary retail frontages to fall below 70% through the approval of a hot food takeaway or betting shop. This is intended to protect the primary retail function of the centres and support policy ED2 Development in Town, District and Local Centres, Local Shopping Parades and Outside Defined Centres.

4.4 In centres and parades where the vacancy rate is above 20%, exemptions will be made to the change of use to a hot food takeaway or betting shop, subject to other primary planning considerations, if the applicant can demonstrate that a unit has remained vacant after being actively marketed for a minimum of one year. This is intended to prevent long term vacancies, ensure the vitality and viability of Sefton's centres and parades are maintained, and where possible allow empty units with limited interest to be brought into a functioning use. It will be the responsibility of the applicant to demonstrate that the unit has been vacant and remained so for a minimum of one year after being actively marketed.

4.5 Key health and wellbeing concerns are discussed in depth within chapter 3 of this SPD and in an effort to reduce the high rate of childhood obesity in Sefton and to encourage healthy eating; an additional 400m hot food takeaway restriction zone has been established around secondary schools and colleges. Such development will be subject to restricted opening hours that limit opening hours until after 5pm Monday to Friday (excluding Bank Holidays). This restriction will not apply to proposals in designated town, district or local

¹ Shopping Parades are identified in the Sefton District Centres, Local Centres and Shopping Parades Study [WYG, 2012]

centres that are within 400m of a secondary school or college. The exemption for units that have been vacant and marketed for 2 years does not apply within 400m of a secondary school or college.

4.6 Amongst other initiatives and strategies which are listed in chapter 5, controlling new hot food takeaways around educational establishments limits access for children during lunch time and immediately after school and can have a positive impact on reducing obesity rates. Introducing planning controls in these circumstances has been supported by numerous bodies such as the Chartered Institute of Environmental Health, think tank Health2020, Public Health England and the National Institute for Care Excellence.

4.7 The 400m radius of the hot food takeaway restriction zone is quoted within Public Health England guidance as a proxy distance for a 5 minute walk (Public Health England, 2014).

4.8 Part 2 of policy EQ10 and this SPD apply only to outlets which sell hot food for consumption off the premises. Takeaways which sell primarily cold food, such as sandwich shops, are excluded, as are drive through premises where they are ancillary to an A3 use class. Restaurants that are classed as an A5 use due to the dominance of a drive through takeaway element will not be subject to the restriction within 400m of schools and further education establishments. This is because it is highly unlikely that school or college aged students will use a drive through.

4.9 This policy does not apply to primary schools. Primary school children do not normally leave the school grounds unaccompanied at lunch and often are less financially independent than older children.

4.10 Applicants are encouraged include a statement in support of their application to demonstrate how they are meeting the requirements of this section.

Hours of Operation

4.11 Hot food takeaways often operate different hours from the majority of Class A1 businesses, conducting the majority of their trade late night. It is therefore necessary to control the hours of operation of such premises to protect local and residential amenity.

4.12 Noise, disturbance, vehicular traffic movements, and pedestrian traffic outside of traditional trading hours are all material planning considerations for non-residential uses in centres and parades in or adjacent to Primarily Residential Areas.

4.13 Acceptable hours of operation for a proposed development will be established by the Council on a case to case basis. Despite this it is unlikely that planning permission will be granted for premises on a shopping parade to operate later than 11:00pm Sunday to Thursday and 11:30pm on Fridays and Saturdays. Opening hours will be controlled further in hot food takeaway restriction zones as per part 2 of policy EQ10.

4.14 In regards to the above, existing premises in the vicinity that operate late night, and the character and function of the surrounding area will both be considered.

4.15 When considering appropriate hours of operation for hot food takeaways regard will also be had to:

- The existence of an established evening economy in the area;
- The character and function of the immediate area; and
- The potential benefits of the proposal for the wider community; and
- Impact on residential amenity

Sites outside designated centres will usually be more restricted.

Pollution

4.15 Noise is a material planning consideration for any planning application, and hot food takeaways and betting shops are particularly prone to creating noise disturbances through congregations of customers. Noise can be created by fittings within a premises (e.g. extraction/ventilation equipment, television sets and radios) as well as the customers it attracts. Any proposed development likely to cause unacceptable levels of noise will not be granted planning permission, and this will be particularly scrutinised in regards to opening times.

4.16 In relation to hot food takeaways, cooking odours and fumes can be particularly unpleasant for nearby residents as well as damaging to the environment. It is therefore required that all such developments incorporate efficient extraction and ventilation equipment. Further information related to acceptable and sustainable equipment can be obtained through the Council's Environmental Health Department.

4.17 Certain retail uses can generate a significant volume of waste. Inadequate storage facilities for refuse can result in harm to visual amenity as well as serious risk to public health. Hot food takeaways must therefore make provisions for sufficient space for commercial bins that are safely accessible for the relevant refuse collector. The applicant must demonstrate that sufficient provision is made for refuse outside the property. The bin stores should be located in a way that they do not pose any threat to the area's residential and visual amenity. The Council may seek a financial contribution towards the provision of external bins to the front of the proposal.

4.18 It is the responsibility of the premises owner to ensure customer bins are provided within the premises in order to prevent litter and the health and the safety issues that result.

Crime and Anti-social Behaviour

4.19 The Council will seek advice from Merseyside Police for proposals for any hot food takeaway or betting shop, regardless of its location within the Borough. Such uses can attract a gathering of people and can result in "hot spots" for crime and disorder. It is

therefore possible in certain areas that the Council may seek a financial contribution to fund the provision of safety and security measures such as CCTV systems.

4.20 Planning permission will not be granted for a hot food takeaway or betting shops that is likely to impair community safety or result in an increased risk of crime and disorder within the immediate area. This is one of many considerations aimed at protecting local and residential amenity.

Design

4.21 It should be noted that the aesthetics of external extraction and ventilation systems must lend themselves to the surrounding character of the area and any such design that would have an unacceptable impact on the visual amenity of the area will not be granted planning permission. Particular regards will be given to the design of any external extraction and ventilation systems in Conservation Areas or on Listed Buildings.

5. Monitoring, Implementation and Review

Monitoring

5.1 It is essential to monitor whether this SPD is being successfully implemented, that the desired outcomes are being achieved and if not, what corrective action needs to be undertaken.

5.2 This will be done through a regular process of monitoring against a set of indicators and targets in the Council's Annual Monitoring Report. This could include the following indicators;

- Approvals of hot food takeaways and betting shops in designated centres and shopping parades
- Approvals of hot food takeaways within 400m of secondary schools and further education colleges (including those restricted to opening after 5pm)
- Year on year change in childhood obesity rates
- Success at appeal and the number of planning appeals allowed contrary to this SPD

Implementation

5.3 The delivery of this SPD will be implemented through the development management process and the determination of applications for hot food takeaways and betting shops. This SPD is intended to supplement rather than duplicate other planning documents. It should be referred to alongside the Sefton Local Plan.

Review

5.4 The Council's Authority Monitoring Report will highlight any issues that may need a review. Where such a review is required, a timetable for this activity will be included in the Local Development Scheme.

5.5 Changes in National Planning Policy Guidance may also prompt the need for further reviews, alongside changes to legislation and the emergence of new evidence as detailed in paragraph 1.14.

Collaborative Approaches

5.6 Policies EQ1 and EQ10 in accompaniment to this SPD will contribute towards a key objective of Sefton's Local Plan to: 'to achieve high quality design and a healthy environment'. The Local Plan in collaboration with numerous other local and regional strategies, initiatives and policies will produce a robust and cohesive line of attack to tackle the high rates of obesity and gambling addiction in the borough. Healthy and active lifestyles will be encouraged and choices that present a potential harm to health and wellbeing will be discouraged.

5.7 The list below details just some of the existing programmes and strategies aimed at improving health and wellbeing locally and nationally, particularly in relation to obesity and gambling addiction. It is anticipated that the Council will continue to pursue such initiatives and work closely with numerous bodies to ensure their continuing success.

- Living Well in Sefton, Sefton's Health and Wellbeing Strategy
- Green Space Strategy
- Healthy Sefton (http://www.healthysefton.nhs.uk/food_weight.htm)
- Active Sefton (<http://www.sefton.gov.uk/1267>)
- Move It (<http://www.activelifestyles-sefton.co.uk/move-it>)
- Healthy Weight, Healthy Lives: a Cross-Government Strategy for England
- Children's Food Campaign
- Public Health Responsibility Deal regarding unhealthy food concentrated around supermarket checkouts
- Healthy Schools Programme and Healthy School Status
- Change 4 Life (<http://www.nhs.uk/Change4Life/Pages/change-for-life.aspx>)
- UK Active (<http://ukactive.com/>)
- Mind, Exercise, Nutrition and Do It! (<http://www.mendfoundation.org/home>)
- National Problem Gambling Clinic (<http://www.cnwl.nhs.uk/cnwl-national-problem-gambling-clinic/>)
- Campaign for Fairer Gambling
- Gambleaware.co.uk (<http://www.gambleaware.co.uk/>)
- GamCare (<http://www.gamcare.org.uk/>)
- Gamblers Anonymous (<http://www.gamblersanonymous.org.uk/>)
- Gam Anon (<http://gamanon.org.uk/>)
- Beacon Counselling Trust (<http://beaconcounsellingtrust.co.uk/>)
- Count Me Out (<http://www.countmeout.org.uk/gambling/>)

6. Do I Need Planning Permission?

6.1 Planning permission will be required if you intend to convert or build new premises for use as a hot food takeaway or betting shop. As per paragraph 2.1 of this SPD the classification of hot food takeaways and betting shops within the amended Town & Country Planning Use Classes Order, 1987 requires planning permission be sought to change the use of any existing premises to such a use.

6.2 Where a premises currently has permission for use as a hot food takeaway, planning permission will not be required for another hot food takeaway to operate from within it. The same applies for betting shops and their respective use. The conditions attached to the previous planning permission, however, will also still apply.

6.3 External building works or alterations that materially change the appearance of an existing retail unit, such as the construction of an extension, installation of a new shop front to the property or installation of an external flue or ventilation system will usually require planning permission. External shutters and grilles also usually require planning permission due to the implications for visual amenity they cause.

6.4 Separate advertisement consent is sometimes required if you intend to display shop advertisements. Projected signs, illuminated signs and signs above fascia level all require planning permission; again guidance can be found in the Shopfronts, Security and Signage SPG.

6.5 Information on how to obtain pre application advice is available on Sefton Council's website: <https://www.sefton.gov.uk/planning-building-control/apply-for-planning-permission/pre-application-advice-on-development-proposals.aspx>.

6.6 In addition advice on how to apply for planning permission is can be found at the following: <https://www.sefton.gov.uk/planning-building-control/apply-for-planning-permission/how-to-make-a-planning-application.aspx>.

7. Consultation

7.1 This SPD was made available for consultation during March to May 2017. A summary of comments made during the consultation period, and the Council's response, is available to view online at www.sefton.gov.uk/spd.

References

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Appendix A – Local Plan Policies

HEALTH AND WELLBEING

- 10.2 Improving health and wellbeing is a corporate priority for Sefton, as set out in ‘Living Well in Sefton: Sefton’s Health and Wellbeing Strategy 2014-2020’ (2014). Addressing health and wellbeing issues is complex and planning plays a role in helping to create a healthy Sefton. This policy sets out how development should contribute to the creation of healthy communities.

EQ1 HEALTHY SEFTON

Development should help maximise opportunities to improve quality of life to make it easier for people in Sefton to lead healthy, active lifestyles, by:

- Improving access to a choice of homes and providing new homes that meet the needs of future occupiers
- Improving access to jobs
- Making adequate provision for safe waste storage or recycling opportunities
- Designing easy to maintain, safe and attractive public areas which minimise the opportunity for crime and reduce the fear of crime, and which promote social cohesion
- Encouraging people to take physical exercise by providing opportunities for walking, cycling, outdoor recreation and sport
- Appropriately locating food and drink shops, hot food takeaways, drinking establishments, restaurants, cafes and other non-food and drink uses which have health impacts, having regard to other land uses in the local area
- Having regard to accessibility of homes, education, jobs, public transport services, health and other services, recreational opportunities and community, cultural and leisure facilities
- Encouraging measures to achieve affordable warmth
- Managing air quality and pollution.

National /regional context

- ‘The Marmot Review: Fair Society, Healthy Lives’ (2010)
- ‘Healthy Lives, Healthy People’ (White Paper 2011)

Explanation

- 10.3 While the planning process has only an indirect effect on health generally, it can have more influence on environmental inequalities which affect health and quality of life. The main aim of this policy is to set a strategic planning framework which will help the Council to achieve its corporate priorities. Health and wellbeing is a high corporate priority in Sefton. The policies in this chapter will help to achieve these priorities.
- 10.4 Sefton has higher than national average levels of people who live in poor health with life expectancy lower than the national average and deprivation, unemployment and child poverty higher than the national average. Sefton has significantly higher than the national average levels of people with excess weight and higher than average levels of childhood obesity in addition to high numbers of residents with a range of long term health conditions and/or mental health problems. Many of the latter are predicted to worsen due to an ageing population. Inequality of health varies significantly across the borough.
- 10.5 Part of the aspiration of ‘Living Well in Sefton’ is, by 2020, to:
- Improve the care, health and wellbeing of all Sefton residents and narrow the gap between those communities with the best and worst health and wellbeing outcomes
 - Promote independence and help build personal and community resilience.

Control of Hot Food Takeaways and Betting Shops SPD

- Work with parents and carers so that all children and young people have opportunities to become healthy and fulfilled adults
 - Create a place where older people can live, work and enjoy life as valued members of the community.
 - Improve opportunities and support residents to make choices so that people are able to live, work and spend their time in a safe and healthy environment
 - Provide early support so that people can remain independent for longer.
- 10.6 The 2012 Joint Strategic [Health] Needs Assessment recognised the need to improve health and well-being, especially for those in the poorest parts of Sefton, by promoting access to local, affordable and healthy food, smoke-free environments like playgrounds, safe and accessible routes for walking and cycling, and regular physical activity.
- 10.7 The '2014 Sefton Strategic Needs Assessment – Environmental' document emphasises that the quality of people's living environment has a profound effect on their health and wellbeing (the wider determinants of health). The document states that health inequalities in Sefton are linked to the unequal impact of environmental influences on health and wellbeing. It identifies particular quality of life issues relating to the environment, including: air quality and pollution, climate change, energy and affordable warmth, housing decency and affordability, transport and accessibility, waste management, and greenspace.

FOOD AND DRINK

10.85 Food and drink uses are important economically and socially for all of Sefton's communities. However they can also be harmful to the living conditions of residents and a proliferation of certain uses can undermine the vitality and viability of local centres and parades. Too many food and drink uses in an area may also encourage unhealthy lifestyle choices for residents. This policy sets out how these issues will be balanced.

EQ10 FOOD AND DRINK

1. Proposals for food and drink uses will only be permitted where they are located so as to meet all of the following criteria:

- They would not cause significant harm to local amenity
- They would not result in unacceptable groupings of similar uses where they would harm the character of the area, the vitality and viability of a centre or shopping parade or harm public health, and
- Any external ventilation and extractor systems do not:
 - a. Significantly harm the external appearance of the building or the street scene
 - b. Harm the residential amenity of neighbouring properties through noise or odours.

2. In order to address the problem of obesity amongst children, proposals for hot food takeaways [Class A5 uses] within 400 metres of secondary schools and further education establishments will not be permitted.

Exceptions will be made where:

- It is located within a designated town, district or local centre; or
- The premises are not open until after 1700 hours.

Key Policy Links:

- EQ1 Healthy Sefton
- ED2 Retail, leisure and other town centre uses
- HC3 Residential development and development in Primarily Residential Areas

Explanation

10.86 Part 1 of this policy specifically refers to food and drink uses as covered by classes A3-A5 of the Use Classes Order, that is, Restaurants and cafes, drinking establishments and hot food takeaways. Part two of this policy refers to Use Class order A5, i.e. hot food takeaways. This policy does not apply to shops [Use Class A1] which sell food, such as groceries or sandwiches and other cold food, for consumption off the premises.

10.87 Premises selling food and drink have the potential to have particular impacts upon the visual and residential amenity of an area. They may be acceptable within the Primarily Residential Area, if they do not harm residential amenity. In order to protect the amenity of neighbouring occupiers, conditions will be used to restrict opening hours.

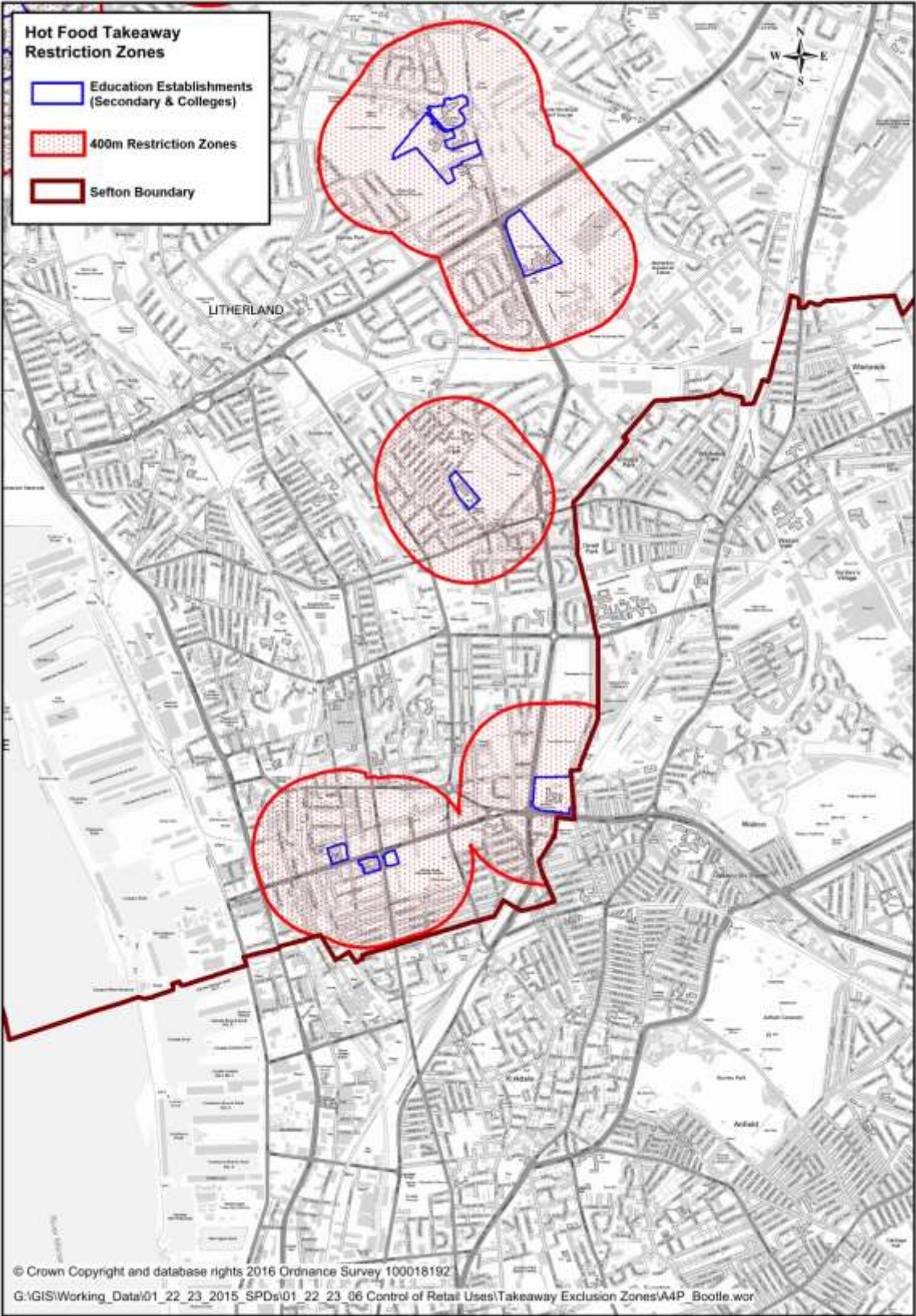
10.88 In line with paragraph 69 of the NPPF, achieving high quality design and a healthy environment is a key objective of the Sefton Local Plan. The Borough has a higher rate of obese children than England as a whole and this policy seeks to control hot food takeaways within the vicinity of schools and further education establishments. Hot food takeaways typically sell low cost, energy-dense meals with little nutritional value that can contribute towards obesity and its ensuing health issues. When implemented alongside other policies and initiatives, controlling access to A5 uses around schools can contribute towards reducing rates of obesity.

Control of Hot Food Takeaways and Betting Shops SPD

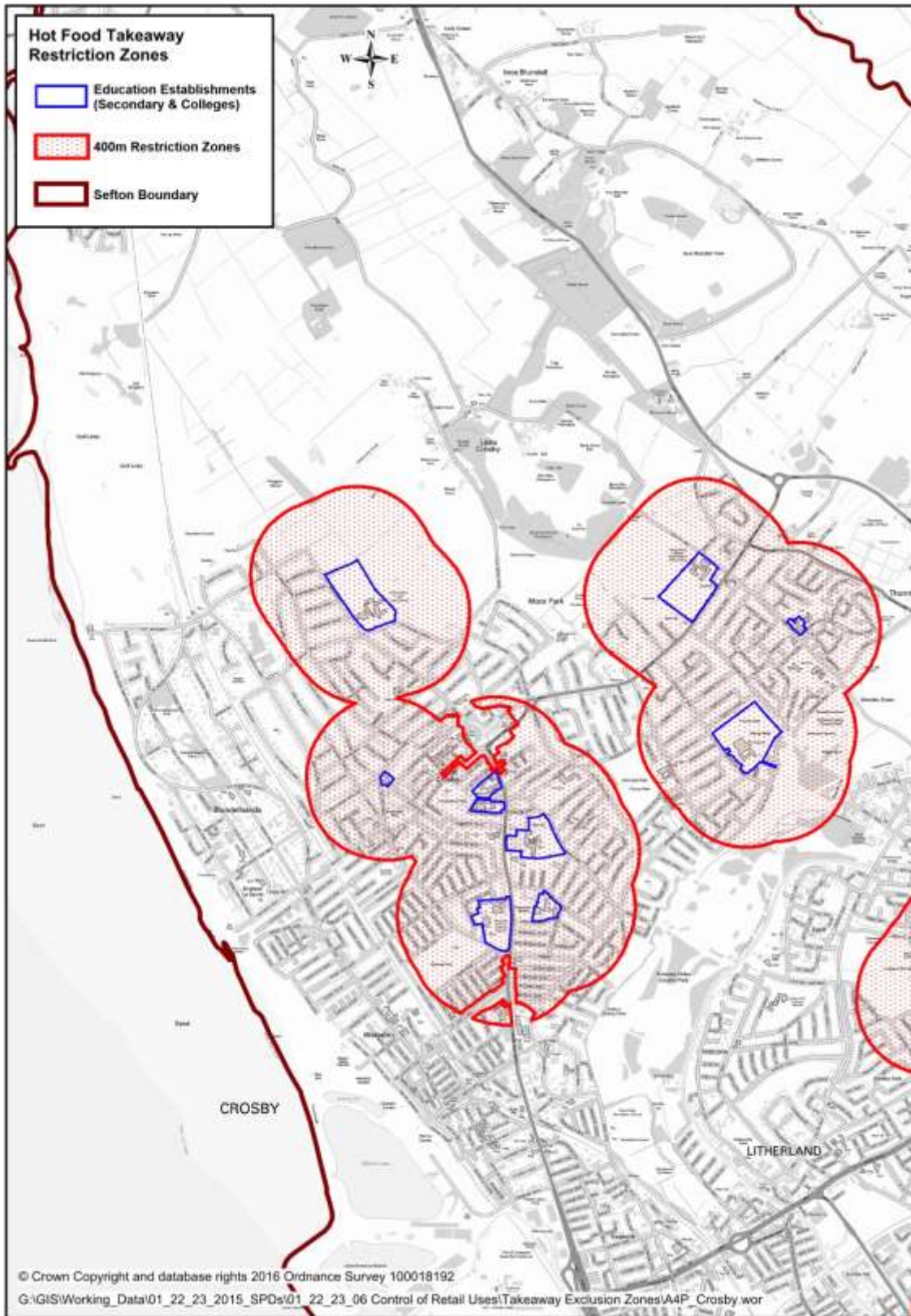
- 10.89 Details of external flues and extractor systems must be submitted with all applications. Conditions may be used to restrict opening hours where appropriate.
- 10.90 The Council is preparing supplementary guidance, to set out in more detail how this policy will be implemented, in the form of the 'Hot Food Takeaways and Betting Shops' SPD.

Appendix B

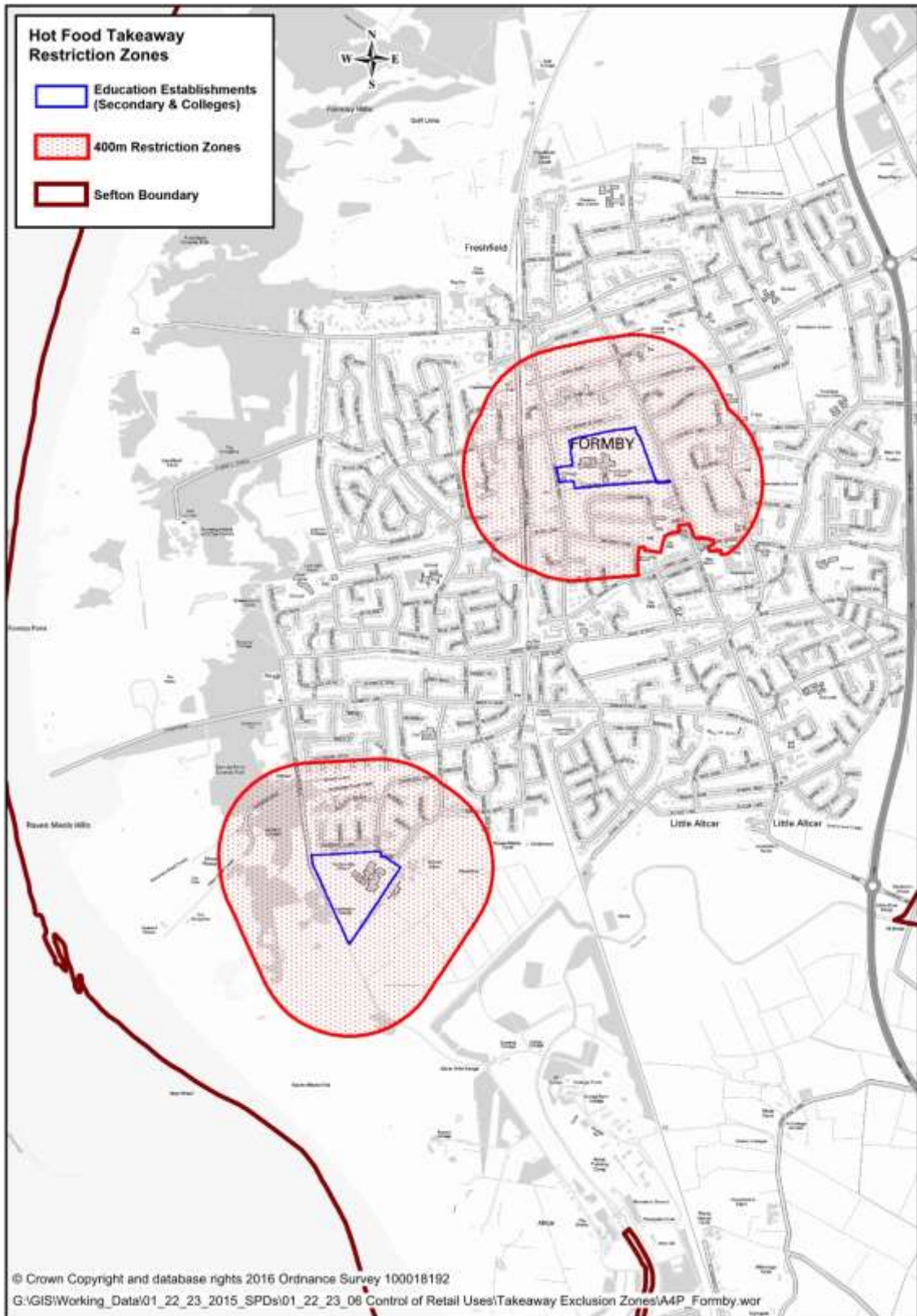
Map of Hot Food Takeaway Restriction Zones Excluding Town Centre - Bootle



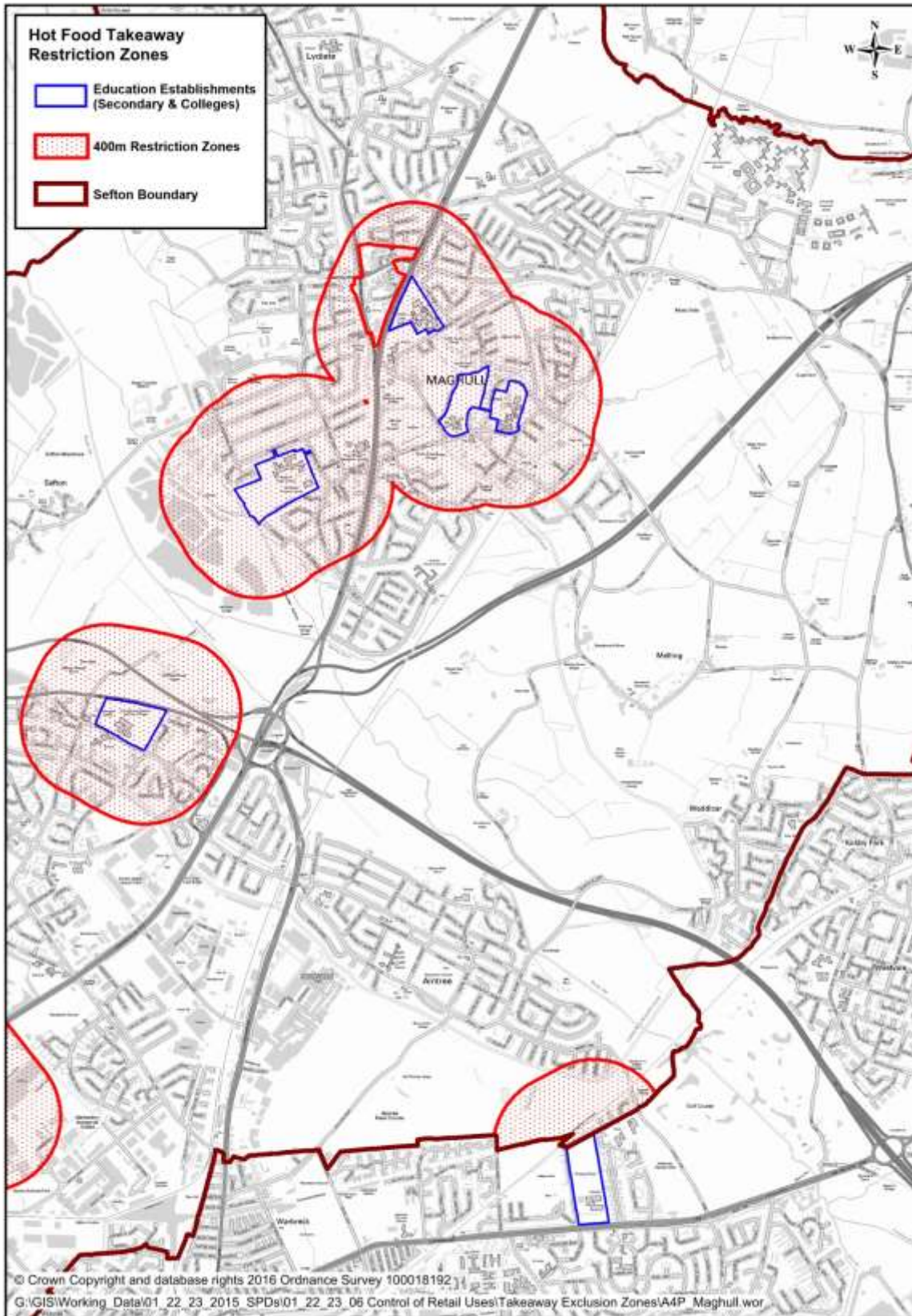
Map of Hot Food Takeaway Restriction Zones Excluding District Centres – Crosby



Map of Hot Food Takeaway Restriction Zones Excluding District Centre - Formby



Map of Hot Food Takeaway Restriction Zones Excluding District Centre - Maghull



Map of Hot Food Takeaway Restriction Zones Excluding Town Centre – Southport

