

Appendix 2

Schedule of responses to public consultation on Hot Food Takeaways in Medway: A Guidance Note

1.0 Introduction

Public consultation on the draft guidance note took place over a six-week period from 20 March 2014 to 02 May 2014.

20 formal written responses were received, 3 responses were received from schools, and 147 young people responded to surveys which were carried out by the Medway Young Inspectors on behalf of the council.

All comments on the draft Guidance Note have been considered and the table below contains officer's proposed responses to those comments together with recommendations for where changes should be made to the guidance note as a result.

Formal responses received from individuals/organisations

Comments made by	Summary of response	MC response	Recommended change to the guidance note
A. Masters	Supportive of the guidance note. Planning applications/guidance necessary.	Para 5.12 sets out the methodology used when assessing suitability of A5 uses in specific areas within Medway.	None
P. Rose	Supportive of the guidance note. Specific reference to para 3.3 and 3.4.	Noted	None
S. Hannant	Supportive of the guidance. It won't make much impact due to concentration that already exists. Other shops sell drinks and sweets – and we wouldn't want these uses to be taken away. Teenagers gather around hot food takeaways at lunchtime – why are they allowed leave school grounds	The guidance only applies to new hot food takeaways (A5 use). Local shops would not be affected, and the council seeks to ensure that there are sufficient services to meet the needs of local people.	None

	at lunchtime.		
D. Brake	Strongly supports the proposal.	Noted	None
L. Napleton	In support of the guidance note. Refers to the need for more healthy lifestyle choice venues including; healthy eating, physical activity.	Noted	None
B. Katnoria	Supportive of the guidance note. Questions whether or not schools allow children to leave school at lunchtime. Refers to the social isolation that may be suffered by elderly people who rely on these outlets. Food should be labelled to identify fats, calories and sugars.	Noted	Potential to consider application of policy in restricting lunchtime opening hours in proximity to primary schools.
H. Athawes	Supportive of the guidance note. Questions why schools are allowing children out at lunch times. There are far too many hot food takeaways in Medway and takeaways should be encouraged to provide healthy food. Food sold in takeaways should be labelled giving information on the sugar and fat contents.	Noted	Potential to consider application of policy in restricting lunchtime opening hours in proximity to primary schools.
A. Turner	Supportive of the guidance note. Recognising that it is a positive step.	Noted	None
H. Ince	Supportive of the guidance note.	Noted	None
E. Olsen	Supportive of the guidance note. Must provide additional initiatives/alternatives.	The issue around clustering would see an appropriate dispersal of hot food takeaways,	None

	Clustering these uses in one place means that litter/parking issues are contained.	rather than confining these uses to specific areas in the way the response suggests.	
G. Hawkins	Supportive of the guidance note.	Noted	None
K. Hawkins	Supportive of the guidance note. Highlights that disadvantaged areas are being targeted by these uses. More liaison with schools in these areas suggested. More emphasis on educating children on life skills.	The guidance note maps the areas of multiple deprivation in Medway showing the location of hot food takeaways. These are often in the less advantaged areas of the borough.	None
C. Wrate	Strongly supportive of the guidance note. There should be a distinction between primary and secondary schools, as primary school children are not allowed leave school at lunchtimes. Disagrees with a higher percentage of hot food takeaways being permitted under the guidance in smaller centres. Grouping an area of Luton High Street with Chatham would make sense in terms of clustering. Cars double-parking outside hot food takeaways in Luton are an issue making it difficult for road users and deliveries. There should be no more hot food takeaways on Luton Road. Council should also look at reducing the number of outlets selling alcohol. Particular concern with regards to the neighbourhood designation of Luton. The policy will need to be applied as stated – addressing each area as opposed to	<p>In order for smaller parades of shops to be viable it may, in some cases, be necessary to allow additional A5 uses in these areas. Each planning application is considered on its own merit and the guidance note would be applied to ensure that areas are not overly concentrated with hot food takeaways going forward.</p> <p>Car parking and littering are issues that are addressed in any planning application and would be considered in the assessment of any planning application going forward. The guidance will complement rather than over ride the issue of parking and littering when determining planning applications.</p> <p>Restricting A5 uses outright is not considered reasonable. A range of different uses is needed in order to create a retail area/ neighbourhood area that is viable and vital and serves the local</p>	Potential to consider application of policy in restricting lunchtime opening hours in proximity to primary schools.

	<p>combining them into one.</p> <p>Remove the designation of the smaller areas of Luton Road and not allow any A5 uses. Ensure only designated areas are included in calculating the percentages. Be more specific about the percentage of A5 in an area. Licensing needs to be looked at if the council are to address the issue of health in Medway.</p>	<p>area.</p> <p>Addressing the issue of outlets selling alcohol is outside the scope of this particular guidance.</p>	
T. Irvine	<p>Strongly disagrees with the proposal. Children and parents are best placed to decide for themselves. Needs to be more support for education and encouragement amongst local early year providers.</p>	Noted	None
E. Jennings	<p>Strongly disagrees with the proposal. Disagrees with the 400m buffer. Primary school children are not allowed to leave school at lunch times. Adults who are capable of making their own decisions are being penalised. Unreasonable not to allow a takeaway because it is close to another takeaway. If one wishes to open, it means there is demand for this use, and it is preferable to vacant units.</p>	<p>The 400m buffer is the equivalent of a 5 minute walk. It has been used across the country for this purpose. The council must provide town centres/ neighbourhood centres that are vital and viable which necessitates the provision of a range of services, and not a concentration of any one particular use.</p>	<p>Potential to consider application of policy in restricting lunchtime opening hours in proximity to primary schools.</p>
D. Atkinson	<p>Disagrees with the proposals. The proposal would damage the local economy and not achieve the desired outcome. Children are not allowed leave school at</p>	<p>Each planning application is considered on its own merits. Should the guidance note be adopted, it would aid in decision making rather than be used solely in assessing planning</p>	<p>Potential to consider application of policy in</p>

	<p>lunch time. After school, children will go to a shop and buy sweets and fizzy drinks; not usually the takeaway. The school in which the respondent works sells fruit and has also worked to improve children's attitude to exercise. It denies freedom of choice. More needs to be done to involve families in outdoor activities.</p> <p>The concentration of hot food takeaways should be dealt with by way of planning applications. Some areas (e.g. Hoo) could do with one or two takeaways to give residents choice. In some villages, going beyond 400m of a school would effectively mean no takeaway could locate there.</p>	<p>applications.</p> <p>The guidance note does allow for more flexibility in local and neighbourhood areas for the very reason put forward by the respondent. Such areas provide a service to people in these areas, and in order for there to be sufficient choice available, a higher percentage is permitted. The 400m buffer proposed in the guidance note would not apply where it would impact on designated centres.</p>	<p>restricting lunchtime opening hours in proximity to primary schools.</p>
N. Back	<p>Neither agrees or disagrees with the proposal overall. Disagrees with the proposal in terms of concentration and clustering of hot food takeaways – there are no healthier eating options for them to undermine. This may be the only hot food some children can access. Improving school meals should be undertaken before applying the guidance note. Provide children with the food they want to eat at an affordable price in school. Nudge people towards healthier food rather than forcing it upon them.</p>	Noted	None

<p>M. Carpenter (Planware Ltd) on behalf of McDonald's</p>	<p>Wholly opposed to the guidance note. The planning Authority should plan positively for the area and not seek to influence people's dietary choices. There is no evidence to suggest that A5 uses close to schools causes adverse health consequences. Applying s106 levy does not accord with guidance test or Planning Acts. The council should plan to meet the development needs of the area. The proposed policy does not allow for exceptions and restricts all A5 development, making new business unviable. It does not reflect the sequential test. There is no justification for applying a 400m buffer. There is a weak relationship between body weight and exposure to fast food outlets.</p>	<p>The guidance document has been prepared positively in line with the National Planning Policy Framework which states that town centres should be recognised as the heart of their communities and should support their vitality and viability with provision for customer choice and a diverse retail offer. The guidance as drafted permits further development of hot food takeaways in town centres/neighbourhood centres and local centres where there would not be over-concentration of this use, and subject to other planning considerations such as litter and neighbouring amenity.</p> <p>Planning obligations should only be sought where they are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in kind and scale to the development. The contribution is a modest amount which reflects the fact that over half of hot food takeaways in the Borough are located in core retail areas, neighbourhood and local centres. Therefore, it is related in scale and kind to the types of A5 uses the Council is likely to receive.</p> <p>The Urban Design Compendium (2000) is a recognised and well referenced guide, and states in paragraph 3.2.1 (p.41): "A widely used</p>	<p>None</p>
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		benchmark is for mixed development neighbourhoods to cover a 400m radius, equating to about five minutes walk.”	
C. Irvine	<p>Strongly opposed to the guidance note. There is no evidence to support the proposal and it could potentially be illegal to enforce. No opinion with regards to the clustering element of the guidance note. Greater emphasis should be placed on education and encouragement.</p> <p>It is an attack on jobs, business and the local economy. It is only part of the solution. How does it make sense to restrict a business within 399m of a school, but allow it if the business is 401m beyond a school. Supportive of the efforts being taken to educate people on how to make healthy choices and encourage more people to enjoy a healthy, active lifestyle.</p> <p>Children up to year 7 are not allowed to leave the school premises unless accompanied by an appropriate adult.</p> <p>Obesity is declining in Medway. Questions if the guidance is legal, supported by evidence, or if it will contribute to a reduction in childhood obesity. Will the</p>	<p>Hot food takeaways would still be permitted should the guidance note be adopted. It is noted and agreed that taking action on hot food takeaways is only part of the solution. Public Health have several other initiatives which promote healthy eating and work to reduce obesity. Application of the 400m buffer is based on the Urban Design Compendium (2000) is a recognised and well referenced guide, and states in paragraph 3.2.1 (p.41): “A widely used benchmark is for mixed development neighbourhoods to cover a 400m radius, equating to about five minutes walk.”</p> <p>It is agreed that particular emphasis should be on education and helping people to make healthier food choices.</p> <p>Obesity in Medway is reducing however, efforts are in place, through this guidance and other initiatives, to reduce the obesity levels further.</p> <p>Evidence supports the guidance note, which is referenced within the document. The effectiveness of the guidance note will be monitored in the Authority Monitoring Report</p>	<p>Potential to consider application of policy in restricting lunchtime opening hours in proximity to primary schools.</p>

	<p>guidance result in appeals against the council.</p>	<p>and can be amended if appropriate. Similar guidance has been adopted in numerous other planning authorities which bears weight in relation to its legality and effectiveness.</p> <p>Obesity and overweight is measured annually through the National Child Measurement Programme.</p>	
<p>N. Saynor on behalf of Public Health England</p>	<p>Strongly supportive of such an approach, taking a robust stand on trying to regulate the growth of hot food takeaways as one strand in an approach to control the rise in obesity in the population. Recognised that regulation of hot food takeaways needs to be done as one strand of a wider obesity strategy. Suggests restricting students to school grounds over lunch times; working with takeaways to see if it's possible to influence their menus; working with environmental health officers and considering how restrictions of opening hours might be applied for noise or other reasons as well of course for hygiene and sanitation issues.</p>	<p>Support of the guidance note is welcomed. It is agreed and accepted that this is only one strand in the approach to reducing obesity in the population. Suggestions put forward, whilst they may work, are not something that can be considered through the planning process, but can be shared with the relevant departments.</p>	<p>None</p>

Schools:

A survey was conducted with all schools in the area through the Schools Bulletin which is sent to schools in Medway on a weekly basis.

There were three responses to the consultation two of which were received from a secondary/grammar school, and one from a primary school. The response received from the primary school disagreed that hot food takeaways should not have their opening hours restricted at lunch times and after school. In this case, there are no hot food takeaways located within a five-minute walk from the school and pupils are not permitted to leave the school grounds at lunch times.

Both secondary/grammar schools did not allow pupils to leave school at lunchtimes, however one stated that sixth form pupils are permitted to leave school at lunch. This school is within a five-minute walk of a hot food takeaway and the response received agrees that hot food takeaways should have their opening hours restricted both at lunch and after school. The second response received from a secondary/grammar school does not have a hot food takeaway within a five-minute walk of the school, pupils are not allowed to leave the school at lunchtimes, but the response strongly agrees that new hot food takeaways should have their opening times restricted at lunch and for a period after school.

Young people:

Research and surveys were carried out by the Young Inspectors which found:

Almost 10% of children in Medway (during the period of 2012/13) are obese by their first year of school.

This compares to the South East average of 7.9% and the National average of 9.3%.

This shows that Medway has a higher proportion of children considered obese than both the regional and national averages.

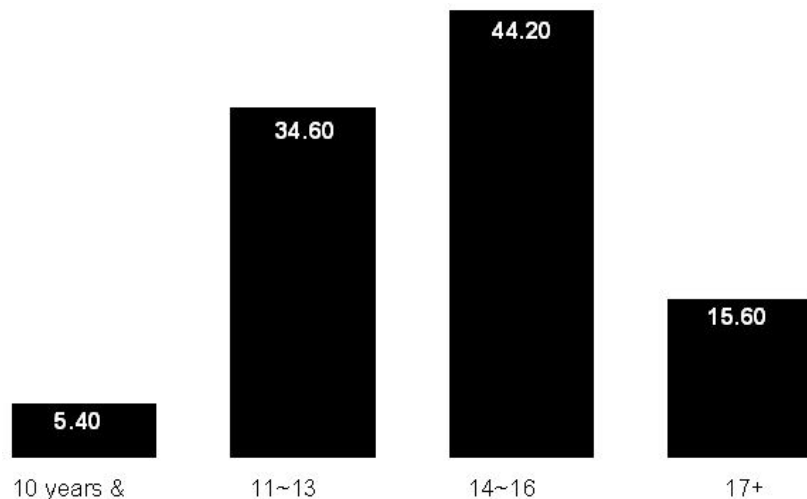
Just over 32% of Medway children in year six (during the period of 2012/13) are considered to be obese.

This compares to the South East average of 29.7% and the national average of 33.3%.

Even though Medway has a high obesity level amongst year 6 school pupils. This is slightly below the national average but slightly higher when compared to the South East.

Respondents came from various areas of Medway with 43 from Rochester/Strood, 49 from Gillingham, and 55 from Chatham. 86 respondents were male, and 61 female.

Age of respondents shown as a percentage:



Counts Analysis % Respondents	Total	How often do you eat takeaways?						
		Daily	Once a week	Twice a week	Twice a month	Monthly	Never	Special occasions
Base	147	12 8.2%	53 36.1%	2 1.4%	35 23.8%	35 23.8%	4 2.7%	6 4.1%
Age								
10 years & under	8	1 12.5%	1 12.5%	-	4 50.0%	1 12.5%	1 12.5%	-
11	5	1 20.0%	1 20.0%	-	1 20.0%	1 20.0%	-	1 20.0%
12	28	1 3.6%	13 46.4%	-	7 25.0%	6 21.4%	-	1 3.6%
13	18	-	9 50.0%	-	1 5.6%	7 38.9%	-	1 5.6%
14	16	4 25.0%	4 25.0%	-	3 18.8%	3 18.8%	-	2 12.5%
15	19	-	6 31.6%	1 5.3%	4 21.1%	6 31.6%	1 5.3%	1 5.3%
16	30	2 6.7%	10 33.3%	-	9 30.0%	9 30.0%	-	-
17	17	2 11.8%	7 41.2%	-	5 29.4%	2 11.8%	1 5.9%	-
18	6	1 16.7%	2 33.3%	1 16.7%	1 16.7%	-	1 16.7%	-

53 Respondents (36%) said they have takeaways once a week. 12 Respondents said they have takeaways daily.

Counts Analysis % Respondents	Total	Who do you usually go with to get your takeaway?		
		On your own	With friends	With family
Base	147	2 1.4%	43 29.3%	109 74.1%
What time of the day do you usually have your takeaway?				
During school lunch time	2	-	2 100.0%	-
After school	23	-	11 47.8%	14 60.9%
Evening	118	2 1.7%	29 24.6%	96 81.4%
Weekends	4	-	3 75.0%	2 50.0%

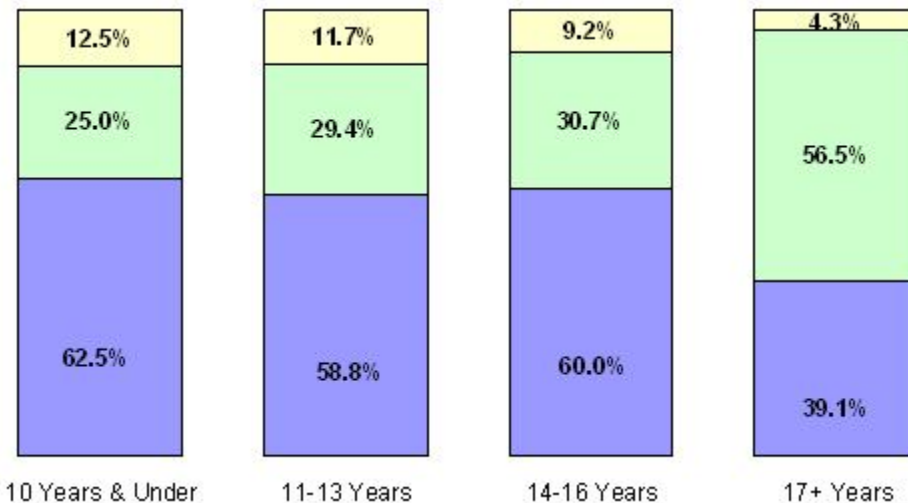
Two respondents said they have a takeaway during their school lunch break and go with friends to get it.

15.6% (23) respondents said they usually go after school to get a takeaway. Out of those 60.9% (14) said they go with family. 47.8% (11) said they go with friends.

Most respondents (80%) said they usually have their takeaways in the evening, with the majority of these going with their family.

Only 4 respondents said they have a takeaway during the weekend.

Should hot food takeaways have their opening times restricted during school lunch times?

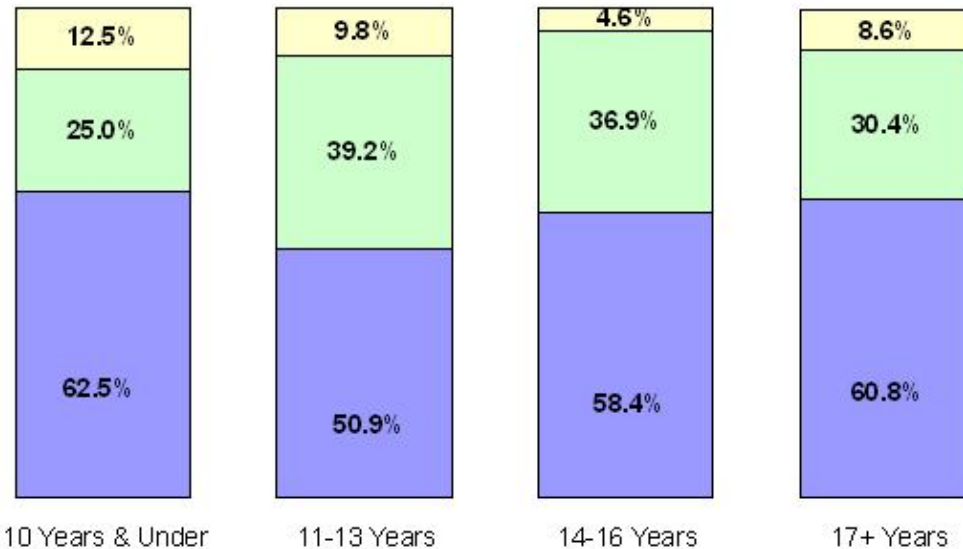


Just over half (56.4%) of respondents agreed that hot food takeaways should have restricted opening times during school lunch times.

The age group least likely to agree with restricted opening times at lunch times were those aged 17 years and over.

56.5% aged 17 years and over disagreed with this proposal.

Should hot food takeaways have their opening times restricted if within a five-minute walk from school?



Just over half (56.4%) of respondents agreed that hot food takeaways should have their opening times restricted if they are located within 5 minutes of a school.

The age group least likely to agree with restricted opening times if they are located within 5 minutes of a school were those aged between 11 to 13 years.

39.2% aged between 11 to 13 years disagreed with this proposal and further 9.8% said they did not know.

Luton Residents Meeting:

A meeting was held with some residents of Luton involved with Big Local. There was a consensus that there are too many hot food takeaways in Luton with a particularly high concentration on the High Street/Luton Road. There was concern raised in relation to the proposal with regards to the concentration/clustering principle. In this area a 15% threshold would not work in this area due to the number of residential dwellings also in that area.

One resident stated that the 15% threshold would never be reached and this would allow a large number of hot food takeaways locate in the area, far beyond what is already developed and operating.

Residents raised concern in relation to the number of off-licences in the Luton area, and suggested that something be done to reduce the number of them in proximity to schools, much like what is proposed with hot food takeaways.

All were in agreement that something needs to be done to tackle the issue of obesity and the proliferation of hot food takeaways in their area and were therefore supportive of the guidance note.

Asset Mapping:

The guidance note was discussed at an Asset Mapping event run by the Public Health Team. The group consisted of a number of stakeholders; some of who responded to the consultation using the response forms. These have been considered in the accompanying table above.

Developing Neighbourhood Approach (DNA) meeting:

The group expressed the need to reduce the number or prevalence of hot food takeaways in Luton and Medway. Attendees were encouraged to submit a response to the consultation.

Youth Club:

Respondents differed in their views. Some were of the opinion that there are too many hot food takeaways, some thought there was a need for more and others thought there were enough already.

Sixth formers were permitted to leave school grounds at lunchtime and some of those would go to hot food takeaways at this time. After school was a more likely time for pupils to go to hot food takeaways.

Some of the respondents were in favour of the 400-metre buffer around schools, and others were not in support. There was no reason given for these views.

One respondent stated that they would not be deterred from using hot food takeaways should there be less of them in the area, they would simply go elsewhere. Other respondents said they would use hot food takeaways less often if there were less of them in the area.

All respondents were in support of Medway Council making Medway a healthier place to live.

One of the supervisors said that there is a demand for hot food takeaways or else they would be going out of business. The respondent stated that if children do not go to a hot food takeaway, they will go to a shop to buy chocolate and crisps which is no better than food served from a hot food takeaway. She questioned what gives the Council the right to allow fish and chip shops but not allow ethnically derived food. According to the respondent, the high street is changing from retail to social with a café culture emerging. Development of a hot food takeaway or restaurant was considered more favourable than having an empty unit in the area. People want a food experience, and if that's what they want then let them have it. The respondent also mentioned the fact that some hot food takeaways work in combination with delicatessens – referring to the Turkish restaurant and Tulip on Chatham's High Street. She suggested that the Council look into selecting the type of food rather than hot food takeaways generally and to promote a mix, not one dominant offer. The Council need to provide better cycle lanes, roads for pedestrians/cyclists, and not for motorists so that people can play.

Medway Ethnic Minority Forum:

Members of the forum asked questions regarding the issue of clustering, however no views were expressed at this meeting. Members were encouraged to submit their views using the online response form.