

Fair Treatment Assessment (FTA) Form



Part A: Overview			
1 Name of service, policy, strategy, procedure, or function etc Note: to save space services, policies, strategies, procedures and functions will be referred to as “functions” for the rest of this form.			
Hot Food Takeaways Supplementary Planning Document (SPD)			
2 Directorate	Places	3 Division/Service	Policy and Spatial Planning
4 FTA lead	Charlene Jones, Planning Officer	5 Other members of FTA team	Mark Collyer, Housing Strategy Officer;
6 Is this a new, existing or revised function?	New Policy		
Part B: Background and Context			
7 Why are you completing this FTA?			
<p>The Solihull Local Plan was adopted on 3 December 2013. Policy P18 ‘Health and Well-Being states that “The Council will resist development proposals for hot food takeaways in areas where there is already a high concentration of such uses.” The policy justification further states: “Poor diet is a significant factor in obesity and associated poor health. The policy aims to provide opportunities to consume fresh food and seeks to manage the concentration of hot food takeaways, particularly around schools, which may increase the propensity to consume unhealthy food.”</p> <p>The purpose of a Supplementary Planning Document (SPD) is to set out the detail for how a Local Plan policy or policies will operate.</p> <p>The Draft Hot Food Takeaways SPD contains further policy advice on:</p> <ul style="list-style-type: none"> • Definition of high concentration of uses • Restricting proliferation of Hot Food Takeaways around secondary schools and sixth form colleges • Criteria for considering highway safety and accessibility matters • Protecting residential amenity and local character • Tackling crime and anti-social behaviour 			

An SPD with specific criteria would give both development management and applicants greater certainty in assessing planning applications for Hot Food Takeaway uses. It would support the objectives of Local Plan Policy P18 as well as policies on supporting main and local centres (P2 and P19), protecting amenity (P14), highway safety (P7 and P8) and respecting local character (P15 & P16).

A Hot Food Takeaways SPD would complement a multi-pronged approach to encouraging healthy lifestyles, improving diet and access to fresh foods.

A Hot Food Takeaways SPD sits within a suite of measures that are designed to reduce the exposure to and therefore the consumption of food that can contribute negatively on health. The SPD contains policies that discourage the clustering of new Hot Food Takeaways near to existing outlets as well as discouraging their development within 400m of a school or college. These policies may have an impact on individuals who wish to develop new Hot Food Takeaway development or those wishing to expand existing outlets in these areas.

8 In terms of equality, what do you already know about this function?

A Hot Food Takeaways SPD would complement a multi-pronged approach to encouraging healthy lifestyles, improving diet and access to fresh foods. The Draft SPD also details the evidence underlying the need for such an SPD and highlights this is one measure in encouraging the vitality and viability of our retail centres and parades, as well as addressing the rising obesity levels in the Borough.

There is also significant evidence in the Solihull MBC Joint Strategic Needs Assessment (JSNA) concerning a correlation between over weight and obese adults and children and socio-economic areas in the Borough.

9 What outcomes are wanted from this function?

The outcomes wanted for this function are:

- Manage concentration of hot food takeaways in the Borough;
- Encourage vitality and viability of our retail centres and parades
- Restrict proliferation of hot food takeaways around secondary schools and six-form colleges in particular;
- Contribute to the Health and Well-being Strategy in its aim to lower levels of overweight and obese adults and children in the Borough;
- To ensure new Hot Food Takeaways development respects residential amenity, local character, highway safety and does not contribute to crime and anti-social behaviour.

10 Are any other departments or partners involved in the delivery of the function? How are they being involved in this assessment?

The Hot Food Takeaway SPD will provide up-to-date planning guidelines for the opening of new hot food takeaways within Solihull. The SPD is intended to set out a clear process for potential takeaway operators looking to open new premises, including an explanation of the role of Planning. However other non-planning Council services may play a role in the process e.g. Public Protection and Licensing. In preparation of the Draft SPD a workshop was held with Officers from across the Council, including Public Health, Development Management, Transport Policy, Solihull Observatory, Food Strategy group, Community Safety and the Health Schools Programme, as well as the local police force.

Part C: Assessment

11 What key information, results of consultation or data have you collected and used to inform this assessment?

There is no evidence that any specific ethnic group will be disadvantaged. Applicants that are refused on the basis of this policy are likely to be a small proportion of all planning applications in a given year and policy HFT1 will apply Borough-wide and policy HFT2 to specific buffer areas around secondary schools. Therefore, the applications will not be limited to a specific geographical ethnic distribution.

Although the policy may have some adverse impacts that fall broadly under the equality banner it is not anticipated that the policy would discriminate any particular demographic group over another. As part of the electronic consultation process during this draft stage, participants will be encouraged to fill in a form including details about their backgrounds so that a cross section of the participants can be recorded.

A report went to Cabinet Member in April 2014, outlining the intended scope of an SPD on Hot Food Takeaways and to seek approval to prepare a document for consultation. This approval was granted. An initial workshop was held in June 2014, with input from Development Management, Planning Policy, Public Health, Food Safety, Transport Policy, Environmental Health, Licensing and the local police on draft model policies. All feedback received, and input from further discussions held, have been used to inform the production of the draft SPD.

The SPD would be subject to public consultation of at least 4 weeks and would comply with the statutory regulations and the Council's Statement of Community Involvement.

12 What does your information tell you about the impact of your function on different groups of people? Are there any specific differences (positive or negative) between their experiences of interacting with this function?

The council has a duty to eliminate discrimination/harassment and victimisation, as well as duties to promote equality of opportunity, and foster good relations between groups of people. In assessing the effects of your function on different groups of people, you should think about how your function achieves these three aims.

Note: You should consider barriers to equal access, equality of outcomes, human rights and the ten dimensions of equality for the different groups of people listed

	<p>Are any of these positive impacts? How could you better promote equality? How could you improve relations between groups of people? Note: If any actions are identified insert these into Part D</p>	<p>Are any of these negative impacts? How can you reduce/eliminate these? Note: If any negative impacts are identified put actions to address these in Part D</p>	<p>What evidence has informed this assessment?</p>
<p>*Age</p>	<p>Often Hot Food Takeaways supply foods high in fat, salt and sugar to the community. By reducing the numbers of such establishments in Solihull, the Council aims to encourage healthy eating habits and improve community health.</p> <p>The Council considers it important to promote healthier food choices, increase community health and especially for children to embed good eating habits from a young age. With regards to Hot Food Takeaways within close proximity of schools, the following policies will apply: Hot Food Takeaways will be resisted where the proposal falls within a 400m radius of an existing secondary school or sixth form college.</p>	<p>No impacts identified.</p>	<p>Solihull MBC produced its first Joint Strategic Needs Assessment (JSNA) in 2008 at which time services to support young people to adopt healthy lifestyles, focussing on preventing and treating obesity was identified as a commissioning priority. The most recent JSNA in 2012 found heart disease, stroke and cancer to be the major causes of ill health, premature mortality and health inequalities in Solihull's population. Obesity and poor quality diets were found to be contributing to increasing levels of poor health and long term conditions such as diabetes.</p> <p>Since the publication of the JSNA, Solihull's Health and Well-being</p>

	<p>This principle will support other local initiatives to tackle childhood obesity, and therefore has potential to positively benefit the health of Children especially secondary school aged children</p>		<p>Board has produced a Health and Well-being Strategy (2013-2016)¹ with 7 main priorities. One of these is ‘Strengthen the Role and Impact of Ill Health Prevention. It reiterates that heart disease, stroke and cancer are the major causes of premature deaths in the Borough and obesity levels are predicted to increase in the future. In 2012/13 19.1% of Reception children in Solihull were overweight or obese, and 28.3% of Year 6 children were overweight or obese, with rates being higher in North Solihull (National Child Measurement Programme).</p>
Carers	No impacts identified.	No impacts identified.	
*Disability	<p>The Council’s Local Plan has a specific policy on Accessibility and Ease of Access (P7), which seeks to focus development in the most accessible locations and for access to developments to be safe, attractive, overlooked and direct. Access requirements for disabled people are met through the Building Regulations and the Disability Discrimination Act. It is beyond the scope of this document to require higher levels of compliance than the legislation.</p>	No impacts identified.	

¹ Source: http://healthwatchsolihull.org.uk/wp-content/uploads/2014/02/Health_and_Wellbeing_Strategy.pdf
If you have any queries about completing FTAs that are not contained in the Guidance Note, please contact your Directorate Equality & Diversity Officer or another member of the Equalities Team (phone 6442 or email equalities@solihull.gov.uk)

*Gender reassignment	No impacts identified.	No impacts identified.	
Looked after children/care leavers	No impacts identified.	No impacts identified.	
*Marriage/civil partnership	No impacts identified.	No impacts identified.	
*Pregnancy/ maternity	No impacts identified.	No impacts identified.	
*Race/ ethnicity	<p>There is no evidence that the SPD will have a negative or positive impact on any specific ethnic group. However, nationally a significant proportion of takeaways are owned, operated and provide employment for minority ethnic groups as identified by a report by the Warwick Institute for Employment Research (Changing Patterns of Employment by Ethnic Group and for Migrant Workers, 2005), and consequently imposing planning controls through the SPD could affect these groups. The SPD will be applicable and will impose planning controls for all future planning applications for any hot food takeaway, regardless of the race/ethnicity of the owners/operators/employees. In determining applications, decisions will take into account and balance the relevant factors as set out within the SPD principles.</p>		

*Religion/ belief/ faith	No impacts identified.	No impacts identified.	
*Sex/Gender	No impacts identified.	No impacts identified.	
*Sexual orientation	No impacts identified.	No impacts identified.	
Socio-economic disadvantage	<p>Hot Food Takeaways often meet the needs of those persons on lower incomes in the area, providing cheaply priced food to fit their lower budgets. As this new guidance is likely to reduce the numbers of new hot food takeaways across the Solihull, it might be considered that these lower income persons may be disadvantaged. However, it is considered that there are already sufficient numbers of such establishments to continue to meet this need.</p> <p>Furthermore, encouraging healthier lifestyles regardless of income is on balance, a greater priority when considered against the issue of encouraging the provision of cheap and not necessarily healthier food options result of the SPD are likely to be relatively few in number, and will be limited to specific geographic locations.</p>	No impacts identified.	<p>Solihull MBC produced its first Joint Strategic Needs Assessment (JSNA) in 2008 at which time services to support young people to adopt healthy lifestyles, focussing on preventing and treating obesity was identified as a commissioning priority. The most recent JSNA in 2012 found heart disease, stroke and cancer to be the major causes of ill health, premature mortality and health inequalities in Solihull's population. Obesity and poor quality diets were found to be contributing to increasing levels of poor health and long term conditions such as diabetes.</p> <p>Since the publication of the JSNA, Solihull's Health and Well-being Board has produced a Health and Well-being Strategy (2013-2016)² with 7 main priorities. One of these is 'Strengthen the Role and Impact of Ill Health Prevention. It reiterates that heart disease, stroke and</p>

² Source: http://healthwatchsolihull.org.uk/wp-content/uploads/2014/02/Health_and_Wellbeing_Strategy.pdf
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	<p>With our busy, modern lifestyles, hot food takeaways represent a popular, cheap convenient service. They provide an important complementary use in our main and local centres; can attract trade and provide local jobs. They also have a part to play in creating a lively night-time economy. Nevertheless, it is recognised that hot food takeaways have a greater potential than other retail uses to create disturbance and detract from residential amenity and local character through increased litter, odours, noise, parking and traffic issues.</p> <p>Where there are high concentrations of hot food takeaway shops, this can have a detrimental impact on the vitality and viability of a retail centre or parade by reducing the range of services available to local communities or by remaining closed during daytime, presenting an unattractive frontage that deters shoppers.</p> <p>Consequently, there is a need to ensure that the Borough's retail centres and parades contain a diverse range of facilities and</p>		<p>cancer are the major causes of premature deaths in the Borough and obesity levels are predicted to increase in the future. . In 2012/13 19.1% of Reception children in Solihull were overweight or obese, and 28.3% of Year 6 children were overweight or obese, with rates being higher in North Solihull (National Child Measurement Programme).</p>
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	<p>services that meet local needs and are appropriate to the location, retail function and local character. In order to encourage and maintain this diversity, it is important that the concentration of hot food takeaways is managed so that the primary purpose and diversity, of our retail centres and parades are not undermined. The SPD therefore could have a positive impact on parades of shops and neighbourhoods, especially in deprived areas.</p>		
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Other – please specify

13 How does this function contribute towards people’s human rights? Note: refer to the guidance document for information on human rights. If any actions are identified insert these into Part D

Organisations within the Solihull Partnership have statutory obligations toward all groups under equality legislation and the Human Rights Act. They also have other responsibilities under legislation and policy relating to housing, planning, health, education and legal enforcement.

The purpose of the Local Plan is to help deliver sustainable communities and sustainable development in accordance with National Planning Policy Framework.

14 How does this function contribute towards safeguarding children and vulnerable adults? Note: refer to the guidance document for information on safeguarding. If any actions are identified insert these into Part D

The function does not have any direct contact with either vulnerable adults or children, but through the Local Plan, ensures that the needs of vulnerable adults and children are considered through developments.

Part D: Actions

15 List any actions required to address negative impacts identified or to better promote equality, good relations, human rights, and safeguarding issues. Do you need to collect any additional data, conduct equality monitoring, or undertake further consultation

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to be able to take account of the impact on particular groups?				
Action	Outcome	Lead	Timescale	How will progress be monitored?

Part E: Summary

16 a Summary for Publication Note: this should include the key findings and impacts identified in this assessment – refer to the guidance document

An SPD with specific criteria would give both development management and applicants greater certainty in assessing planning applications for Hot Food Takeaway uses. It would support the objectives of Local Plan Policy P18 as well as policies on supporting main and local centres (P2 and P19), protecting amenity (P14), highway safety (P7 and P8) and respecting local character (P15 & P16).

The options/proposals in this report will contribute to the delivery of the following Council Priorities:

- Improve Health and Wellbeing (Engagement with children and young people)
- Managed Growth (Local Development Framework implementation)

A Hot Food Takeaways SPD would complement a multi-pronged approach to encouraging healthy lifestyles, improving diet and access to fresh foods. The Draft SPD also details the evidence underlying the need for such an SPD and highlights this is one measure in encouraging the vitality and viability of our retail centres and parades, as well as addressing the rising obesity levels in the Borough.

Through completing this FTA on the Hot Food Takeaways SPD, no negative impacts have been identified. However there is national evidence that a significant proportion of takeaways are owned, operated and provide employment for minority ethnic groups, and consequently imposing planning controls through the SPD could affect these groups. This potential impact will form part of the consultation process.

b Please indicate which of the following best describes the outcome of your FTA

<input type="checkbox"/>	Only negative impacts have been identified for this function
<input type="checkbox"/>	No different impacts have been identified for this function
<input type="checkbox"/>	A mixture of positive and negative different impacts have been identified for this function
<input checked="" type="checkbox"/>	Only positive different impacts have been identified for this function

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There wasn't enough information to be able to reach a conclusion at this point in time	
Part F: Sign off	
17 This FTA has been completed by	
Signed (Lead for FTA)	
Name and job title (please print)	Charlene Jones, Planning Officer
Date	29 September 2014 (Draft)
18 This FTA has been reviewed by the directorate equality & diversity group and its completion will be reported to the corporate equality & diversity group	
Signed (on behalf of group)	
Name and job title (please print)	Karen Grant, Head of Equalities and Diversity
Date reviewed	
19 This FTA has been approved by Head of Service	
Signed	
Name and job title (please print)	Ken Harrison, Head of Policy and Spatial Planning
Date	