Community Impact Assessment Form

For a summary of this Community Impact Assessment, click here

**Title of Community Impact Assessment (CIA):** Proposed revisions to existing hot food take aways supplementary planning document (adopted July 2007)

**Directorate:** Office of the Chief Executive

**Date of assessment:** 28 August 2013

Names and roles of people carrying out the community impact assessment. (Please identify Lead Officer):
Cheryl Price, Planning Officer (Lead Officer)

Other officers: Claire Thorn (Spatial Planning Principal Planning Officer /Equalities Advocate), Adele Stewart (Development Management Planning Consultant / Service user) and Amelia Lucus (Spatial Planning Principal Planning Officer)

**Section A – What are you impact assessing?**

(Indicate with an “x” which applies):

<table>
<thead>
<tr>
<th>Option</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A decision to review or change a service</td>
<td></td>
</tr>
<tr>
<td>A strategy</td>
<td></td>
</tr>
<tr>
<td>A policy or procedure</td>
<td>X</td>
</tr>
<tr>
<td>A function, service or project</td>
<td></td>
</tr>
</tbody>
</table>

Are you impact assessing something that is?:-

<table>
<thead>
<tr>
<th>Option</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>New</td>
<td></td>
</tr>
<tr>
<td>Existing</td>
<td></td>
</tr>
<tr>
<td>Being reviewed</td>
<td>X</td>
</tr>
<tr>
<td>Being reviewed as a result of budget constraints</td>
<td></td>
</tr>
</tbody>
</table>
Describe the area you are impact assessing and, where appropriate, the changes you are proposing?

This Community Impact Assessment (CIA) screening is for the proposed revisions to the hot food take aways supplementary planning document (SPD) adopted in July 2007. The document to be assessed is the draft hot food take aways supplementary planning document published for consultation in May 2013. Revisions have been required to reflect the national planning policy framework, government advice and other changes to legislation that have occurred since the document was first adopted. Recent planning appeal decisions have also necessitated revisions to the SPD.

The revised supplementary planning document will provide more detailed planning guidance to assess and determine planning applications and is intended to guide prospective take away owners and their agents to encourage the submission of good quality planning applications.

At the draft stage the main proposed changes to the SPD are as follows:

- Deletion of 2007 SPD policy HFTA1 (hot food take aways and residential properties). This follows recent appeal decisions in Salford, where inspectors have concluded extraction equipment can adequately mitigate against harm arising from odours where there is an adjoining residential property.
- In light of removal of the previous policy HFTA 1, the policy approach to odours has been amended. New draft policy HFTA 4 does not preclude hot food take aways operating from premises adjoining residential properties subject to providing appropriate extraction equipment to effectively disperse odours. The policy also requires appropriate sound proofing of party walls and ceiling where necessary to ensure there is no unacceptable noise disturbance for occupiers of residential properties directly above or adjacent to the proposed use.
- Deletion of the 2007 SPD policy HFTA8 (healthy eating options). Paragraph 153 of the national planning policy framework

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1 [http://www.salford.gov.uk/hftaspd.htm](http://www.salford.gov.uk/hftaspd.htm)
2 [http://www.salford.gov.uk/drafthftaspd.htm](http://www.salford.gov.uk/drafthftaspd.htm)
3 The national planning policy framework sets out the government’s planning policies for England and how they are expected to be applied. It provides guidance for local planning authorities and decision takers, both in drawing up plans and making decisions about planning applications. Available to view at: [https://www.gov.uk/government/publications/national-planning-policy-framework--2](https://www.gov.uk/government/publications/national-planning-policy-framework--2)
(NPPF) sets out “only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plans”. Since the current policy only ‘encourages’ hot food take aways to introduce healthier options, and is not a requirement, there is no real clear indication of how a decision maker should react. On this basis, it is more appropriate to include a section on healthy eating in the SPD but not as part of a policy.

- Inclusion of a new policy (policy HFTA2 [hot food take aways and schools]) that places restrictions on the operation of hot food take aways around both primary and secondary schools to support and encourage children to make healthier eating options.
- Inclusion of a new policy to ensure hot food take aways do not exacerbate any existing problems of crime and disorder (policy HFTA5 [hot food take aways and anti-social behaviour]).

The Community Impact Assessment relates only to the main changes proposed and not to unchanged policies that are anticipated to be carried forward into the revised SPD from the hot food take aways supplementary document adopted in July 2007.

**Section B – Is a Community Impact Assessment required (Screening)?**

Consider what you are impact assessing and mark “x” for all the statement(s) below which apply

| Service or policy that people use or which apply to people (this could include staff) | X |
| Discretion is exercised or there is potential for people to experience different outcomes. For example, planning applications and whether applications are approved or not | X |
| Concerns at local, regional or national level of discrimination/inequalities |
| Major change, such as closure, reduction, removal or transfer |
| Community, regeneration and planning strategies, organisational or directorate partnership strategies/plans |
| Employment policy – where discretion is not exercised |
| Employment policy – where discretion is exercised. For example, recruitment or disciplinary process |

If none of the areas above apply to your proposals, you will not be required to undertake a full CIA. Please summarise below why a full CIA is not required and send this form to your directorate equality link officer. If you have identified one or more of the above areas, you should conduct a full CIA and complete this form.
Equality Areas
Indicate with an “x” which equality areas are likely to be affected, positively or negatively, by the proposals

<table>
<thead>
<tr>
<th>Equality Area</th>
<th>X</th>
<th>Equality Area</th>
<th>X</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td></td>
<td>Religion and/or belief</td>
<td>X</td>
</tr>
<tr>
<td>Disability</td>
<td>X</td>
<td>Sexual Identity</td>
<td></td>
</tr>
<tr>
<td>Gender (including pregnancy and maternity)</td>
<td></td>
<td>People on a low income (socio-economic inequality)</td>
<td>X</td>
</tr>
<tr>
<td>Gender reassignment</td>
<td></td>
<td>Other (please state below) (For example carers, ex offenders)</td>
<td></td>
</tr>
<tr>
<td>Race</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

If any of the equality areas above have been identified as being likely to be affected by the proposals, you will be required to undertake a CIA. You will need only to consider those areas which you have indicated are likely to be affected by the proposals.
## Section C – Monitoring information

<table>
<thead>
<tr>
<th>C1</th>
<th>Do you currently monitor by the following protected characteristics or equality areas?</th>
<th>Yes (Y) or No (N)</th>
<th>If no, please explain why and/or detail in the action plan at Section E how you will prioritise the gathering of this equality monitoring data.</th>
</tr>
</thead>
</table>
| Age | N                                                                                   | The means of monitoring the impacts on protected characteristics within local communities would be to undertake surveys of the operators, their employees and customers.  
All age groups are likely to benefit from the revisions to the document, but young people and children are likely to receive the greatest direct health benefit due to the new restrictive opening policy close to schools.  
The proposed new policy will not apply retrospectively to existing hot food take aways and planning consents granted prior to the adoption of the revised SPD. The policy itself will as such not reduce pupil access to existing hot food take away outlets but aims to prevent new outlets in close proximity to schools from selling food over the counter before 5pm. Monitoring any quantifiable benefits would therefore prove difficult.  
It is hoped the policy will positively contribute to the health of younger people. Health indicators will be monitored but there is unlikely to be a clear cause and effect relationship between any changes to health indicators and the aims and objectives of new policy HFTA 2.  
For the above reasons any additional monitoring (for example surveys) is not considered necessary. |
<p>| Disability | N                                                                                 | It is not considered that any impacts on disability arising from the application of the SPD policies would be of significance to warrant monitoring. |
| Gender (including pregnancy and maternity) | N                                                                                  | Given the nature of the proposed revisions to the document it is not considered that there would be any specific impact on gender equality and therefore monitoring of this characteristic it not considered necessary. |</p>
<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Monitoring Required</th>
<th>Monitoring Method</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender Reassignment</td>
<td>N</td>
<td>Given the nature of the proposed revisions to the document it is not considered that there would be any specific impact on gender reassignment and therefore monitoring of this characteristic is not considered necessary.</td>
<td></td>
</tr>
<tr>
<td>Race</td>
<td>N</td>
<td>The means of monitoring the impacts on protected characteristics within local communities would be to undertake surveys of the operators, their employees and customers. There is anecdotal evidence suggesting that the majority of hot food takeaways in the city are owned by persons from the black and minority ethnic (BME) community. Increased planning control through imposing restrictions on their operation close to schools is likely to have a greater impact on these communities. Other planning restrictions will however be relaxed (subject to adequate odour abatement and noise attenuation) to the benefit of hot food takeaway operators where they propose to open below or adjacent to residential properties. There is no requirement on the standard application form used by all English local planning authorities to include information on ethnicity. Consideration could however be given to the inclusion of a voluntary equality questionnaire on the council’s planning application submission website. Following completion of the CIA exercise, the reasons for not monitoring this characteristic are set out in Section F.</td>
<td></td>
</tr>
<tr>
<td>Religion and/or belief</td>
<td>N</td>
<td>The means of monitoring the impacts on protected characteristics within local communities would be to undertake surveys of the operators, their employees and customers. There is anecdotal evidence suggesting that the majority of hot food takeaways in the city are owned by persons from the black and minority ethnic (BME) community. Potentially there is a great diversity of religious beliefs and cultural practices among the different minority ethnic groups in Salford. Increased planning control through imposing restrictions on their operation close to schools is likely to have a greater impact on these communities. Other planning restrictions will however be relaxed (subject to adequate odour abatement and noise attenuation) to the benefit of hot food takeaway operators where they propose to open below or adjacent to residential properties.</td>
<td></td>
</tr>
</tbody>
</table>
abatement and noise attenuation, to the benefit of hot food take away operators where they propose to open below or adjacent to residential properties).

There is no requirement on the standard application form used by all English local planning authorities to include information on religion and/or belief. Consideration could however be given to the inclusion of a voluntary equality questionnaire on the council’s planning application submission website.

Following completion of the CIA exercise, the reasons for not monitoring this characteristic are set out in Section F.

<table>
<thead>
<tr>
<th>Sexual Identity</th>
<th>N</th>
<th>Given the nature of the proposed revisions to the document it is not considered that there would be any specific impact on sexual identity and therefore monitoring of this characteristic it not considered necessary.</th>
</tr>
</thead>
<tbody>
<tr>
<td>People on a low income (socio-economic inequality)</td>
<td>N</td>
<td>A number of studies have found that hot food take away outlets are often located in areas of higher socio-economic deprivation. There is a similarly strong relationship between the prevalence of obesity and deprivation. It would be simplistic to suggest a cause and effect relationship (for example more hot food take away outlets result in higher rates of obesity) but there is a clear association between the two, with hot food take aways often meeting the needs of these persons on lower incomes in that some can provide cheaply priced food. The tougher policy approach is likely to reduce future numbers of new hot food take aways in certain locations across the city. It is felt however that there is already sufficient number of such establishments to meet the city’s demands and that any impacts in terms of accessibility to such outlets would not be significant and would not require monitoring.</td>
</tr>
<tr>
<td>Other (please state) (For example carers, ex offenders)</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>
Section C (continued) – Consultation

C2 Are you intending to carry out consultation on your proposals?

Consultation has been undertaken, as set out below.

If “no”, please explain your reason(s) why

If “yes”, please give details of your consultation exercise and results below

**Initial consultation**

There was a six week initial consultation from 9 July 2012 to 20 August 2012 where the city council sought the views of stakeholders and consultees on its intention to update the hot food take aways SPD. The city council requested any comments that people might have on the existing SPD and in particular whether any of the policies within them are still appropriate for use or should be amended.

The city council consulted 288 consultees registered on its planning consultee database, including all statutory consultation bodies together with other consultees who the city council considered may have an interest in the production of the SPD. This included businesses, residents and community groups who had previously expressed an interest in or submitted representations on related planning policy documents. In addition spatial planning officers ran a workshop with Urban Vision development management colleagues. Discussions were also held with Urban Vision’s environment team, the council’s environmental health and health and improvement teams, Salford’s director of public health and health and wellbeing board. Details of the initial consultation were published on the city council's website and an electronic version of the consultation documents were available to download.

Three organisations and individuals submitted representations on the scoping consultation.

**Consultation on draft revised hot food take aways supplementary planning document**

There was an eight week period of public consultation on the draft SPD from 10 May 2013 to 5 July 2013. The city council consulted 342 organisations and individuals registered on its planning consultee database, including all statutory consultation bodies together with other consultees who the city council considered may have an interest in the revision of this document. This included: the city’s director
of public health; all other Greater Manchester local authority directors of public health; Salford’s health and wellbeing board; the Salford BME forum; and BME network. Discussions also took place with Urban Vision development management colleagues. In addition, all schools throughout the city were consulted on the proposed draft changes and neighbourhood managers were contacted who then forwarded details of the consultation to those on their community contact lists. Letters were also sent to every known hot food take away within the city (in total 244 outlets were contacted) seeking views on the draft planning policy document.

Details of the consultation were also published on the city council’s website and an electronic version of the covering letter and the draft SPD were available to download. Copies of all documents were available to view at each of the city’s libraries. An article was placed in the June 2013 edition of Life IN Salford, available online and distributed to every home and business in Salford during the week beginning 3 June 2013. A press release was placed on the city council website on 28 May 2013 detailing the consultation. A clarification statement was then issued and published on the city council’s website on 30 May 2013. This clarified the draft policy approach to restrictions on operation of hot food take aways close to schools. There was an article in the Salford Advertiser and Manchester Evening News, five national newspapers also ran a story on the proposed changes, BBC online featured an article, in addition the children’s programme ‘Newsround’ also broadcasted an item on television.

Twenty four organisations and individuals submitted representations on the draft SPD. Full details of all representations submitted at the initial and draft SPD consultations stages, together with the city council’s response to these, will be set out in the consultation statement published alongside the SPD at http://www.salford.gov.uk/hftaspd.htm.

Section C (continued) – Analysis

C3 What information has been analysed to inform the content of this CIA? What were the findings?

The below detailed existing available information has informed the main revisions to the 2007 hot food take aways supplementary planning documents. No further work was specifically commissioned / undertaken to inform the revised document or this CIA.

Healthy eating

Policy HFTA 8 (healthy eating options) in the 2007 SPD is proposed to be removed from the revised SPD. Paragraph 153 of the national planning policy framework (central government planning guidance) sets out “only policies that provide a clear indication of how a decision

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4 http://www.salford.gov.uk/drafthftaspd.htm
5 http://www.salford.gov.uk/life.htm
other information which will inform your CIA.

Please specify whether this was existing information or was specifically in relation to this equality analysis and CIA process maker should react to a development proposal should be included in the plans”. Since the 2007 policy only ‘encourages’ hot food take aways to introduce healthier options, and is not a requirement, there is no real clear indication of how a decision maker should react. On this basis, it is considered more appropriate to include a section on healthy eating in the SPD but not as part of a policy.

Hot food take aways and schools

Hot food takeaways do not directly cause obesity, but the majority of premises offer food which is energy dense and nutritionally poor, which can contribute to obesity. Both the Chartered Institute for Environmental Health\(^7\) and Department of Health\(^8\) advise that local authorities should limit the opening of new outlets, particularly in sensitive areas such as around schools.

Supporting the Department of Health advice, research shows that the more overweight and the earlier in life you become overweight, the greater the impact on your health. If obesity develops in adolescence, it is likely to continue into adulthood. It is therefore important to support and establish healthy eating habits from an early age, to reduce rates of overweight and obese children and to prevent the physical, psychological and social consequences of childhood obesity\(^9\).

Research also indicates the most popular time for purchasing food from shops is after school\(^10\) and many secondary school children may also leave school premises at lunchtime. Furthermore the same report found that fast food outlets in close proximity to, and surrounding schools were an obstacle to secondary school children eating healthily.

In the context of Salford, life expectancy for both men and women in the city is lower than the England average and approximately 21% of final year primary school children in Salford are obese.\(^11\)

Reducing childhood obesity levels is a top priority for the council because overweight and

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\(^7\) Policy briefing note – Fast food outlets (2010) Chartered Institute of Environmental Health
\(^8\) Healthy Weight, Healthy Lives (2008) Department of Health
\(^9\) Adolescent Health (2003) British Medical Association
\(^10\) The school fringe: from research to action: Policy options within schools on the fringe (2009) Sinclair, S; Winkler JT; Nutrition Policy Unit, London Metropolitan University
obese children are more likely to become obese adults, and consequently have a higher risk of illness, disability and premature death. The impact this brings was documented in the city’s healthy weight strategy\(^\text{12}\) which included relative costs for Salford showing both in terms of treatment but also the impact on the local economy through sickness absence and disability benefits.

In their response to the consultation on the draft hot food take aways SPD, Salford’s health and wellbeing board noted that a number of studies have found that hot food take away outlets are often located in areas of higher socio-economic deprivation. There is a similarly strong relationship between the prevalence of obesity and deprivation. It would be simplistic to suggest a cause and effect relationship (for example, more hot food take away outlets leading to higher rates of obesity), but there is a clear association between the two with hot food take aways often meeting the needs of these persons on lower incomes, providing cheaply priced food. The health and wellbeing board, concluded in their support for the new draft policy on restricting hot food take aways near to schools, that Salford as a city with significant areas of deprivation is inevitably doubly challenged by both higher rates of both childhood obesity and takeaways supplying high calorific foods. Young people are particularly susceptible in this environment.

In a judicial review of a decision by Tower Hamlets London Borough Council (Application ref: PA/07/03290), the Court ruled that the planning permission should be quashed because the Council should not have said in its planning report to the Committee that a school’s healthy eating policy was not capable of being a material consideration in the determination of this application. The Court found that healthy eating and proximity of hot food take aways to local schools was capable of being a material consideration.

In response to the evidence, a new policy (policy HFTA 2 [hot food take aways and schools]) is included in the consultation draft SPD. This sets out where a hot food take away is proposed within 400 metres of a either a primary or secondary school, planning permission will only be granted subject to a condition that there are no over the counter sales before 5pm.

A restrictive hours condition preventing counter service before 5pm in close proximity to schools would still allow a business to operate telephone and internet services. This

\(^{12}\) Working together for a change for life: Salford's healthy weight strategy 2009-12 [http://www.partnersinsalford.org/healthy-weight.htm]
approach is therefore considered to provide an appropriate balance between protecting the health of children and enabling new businesses to become established. A 400 metre restriction buffer is considered to be a reasonable distance given that it broadly represents a 10 minute walk, taking into account physical barriers on any route.

A number of local authorities have placed moratoriums on hot food take aways in close proximity to schools. Such an approach is thought to be a relatively blunt instrument. Nonetheless it is considered that a policy is needed so that planning contributes to addressing the problem of obesity. It is however important this is done in a way that is proportionate and that minimises the impact on businesses including ethnic minority groups whose livelihoods are often derived from this type of business. Hot food take aways near to schools are most likely to be a problem during and immediately after school hours, and so it is appropriate that controls relate to those hours rather than having a complete moratorium on such establishments.

*Odours and Noise*

Recent planning appeal decisions have been analysed and have informed both the revised SPD and this CIA. Appeal decisions made by independent inspectors over the past two years show that 2007 SPD policy HFTA 1 has not been supported. The main issue which has arisen from five separate inspector decisions is that the council’s policy stating extraction equipment cannot in practice adequately mitigate odours where there is a residential use adjacent or above has not been supported. The overall conclusion that inspectors have reached is extraction equipment can adequately mitigate against the harm arising from odours even where there is an adjoining residential property. This position is supported by Urban Vision’s environmental services team.

The council’s policy on odours has therefore been revised (new policy HFTA4) to reflect the appeal decisions. In order to mitigate against unacceptable noise implications, the new policy now also stipulates adequate sound insulation will be required.

*Anti-social behaviour*

The 2007 SPD does not contain a policy on anti-social behaviour but from a recent review of planning appeal decisions it is clear that the issue can be material in the decision making process. The weight given to the issue, if any, has however tended to vary on a case by case basis.
Apart from noise and disturbance allegations, a heightened objection which is occasionally levelled at take-away uses is that they would be a focus for public disorder/criminal behaviour. Such allegations are often made where there is close proximity to a public house. Anti-social or criminal behaviour is not an inevitable consequence of the use of land as a hot food take away. Nonetheless hot food take aways can often attract a gathering of people, which particularly at night could exacerbate any existing problems of crime and disorder.

On this basis, a policy has been included in the revised draft SPD setting out that where there are existing concerns over crime and anti-social behaviour in the area, the applicant may be required provide a financial contribution or install safety and security measures such as CCTV systems.

**Responses to initial consultation**

A single representation was received from Barbara Keeley MP. The Coal Authority and Network Rail responded to say that they had no comments to make.

Concern was raised by Barbara Keeley MP regarding the potential impact of hot food take aways on local areas and local centres. In particular, the representation emphasised the need to take into account:

- The impact on residential areas
- The potential for noise
- The potential for rubbish and vermin
- The concerns of residents; and
- The need to protect the quality of the residential environment

**Responses to draft hot food take aways supplementary planning document**

24 representations were received, of these, eight statutory consultees together with one Greater Manchester council confirmed they had no comments to make.

In total 15 individuals or businesses expressed a view, and of these 12 objected whilst there were three representations offering support for the proposed changes.
Three hot food take aways formally responded to the consultation, including one national operator. The view of both independent take away owners was that existing businesses should be protected and the opening of further establishments should be restricted where it could potentially negatively impact on existing operators. To summarise, the national hot food takeaway operator commented specifically in relation to the proposed restrictions near to schools, and expressed the view that they did not believe planning restrictions of this nature were an appropriate or proportionate response to improve public health. Ultimately there must be flexibility for decisions to be made on a case by case basis.

Of the remaining representations, most comments related to draft policy HFTA 2 and the restrictions on over the counter sales of new hot food take aways. A number of these representations raised objections on more than one ground. Three individuals raised concern that the council would be unfairly restricting choice, three respondents also objected on the basis that this would unacceptably impact on trading of new businesses and negatively impact on employment levels. There was a single objection to restrictions around schools given that chip shops are part of the British way of life/culture, whilst another comment received was that it should be the schools responsibility to ensure children undertake more physical activity. Another view was that it should be the parents’ responsibility to ensure a child has a healthy diet and that chips or such like may be the only hot meal a child has in a day. A final objector to draft policy HFTA 2 suggested that there should not be an outright ban on over the counter sales before 5pm close to schools, but that hot food take aways should not be allowed to serve children unaccompanied by an adult. One representation also objected to the proposed policy change that would now allow hot food take aways to locate adjacent to residential properties, subject to adequate odour and noise mitigation.

All three of the respondents that offered their support to the changes submitted comments in relation to the proposed new policy on restricting operation of hot food takeaways near to schools. Two of the respondents were members of the public whilst one letter of support was from Salford’s Health and Wellbeing Board (as in part referred to above). All three made reference of the importance of tackling obesity levels and one of these commented on the importance of tackling crime.

There were also numerous comments posted on press publication websites (both national and local) in response to articles wrote. Much of the extensive media coverage implied that this was a unique attempt by Salford to use planning to restrict hot food takeaways to help curb rising levels of obesity. This is misleading, as a number of other local authorities have however in the past few years introduced restrictions on new hot food take aways close to
Most local authorities have adopted a more stringent approach, placing an outright ban on further outlets opening close to schools, and in some instances extending this moratorium to parks, play areas and communities centres.

The large majority of comments made in response to the press articles were negative. Reviewing the content of the press articles, it may however be that some respondents thought that the council’s proposed approach to restricting hot food take aways applied to both existing and proposed businesses.

Section D – Potential impacts and how these will be addressed

<table>
<thead>
<tr>
<th><strong>Could your proposals have a differential impact relating to age equality?</strong></th>
<th><strong>Yes (Y)</strong></th>
<th><strong>No (N)</strong></th>
<th><strong>Explain impact(s) and what evidence or data exists to support your analysis?</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Will people within certain age ranges not be getting the outcome they need?</strong>&lt;br&gt;<strong>Will people within certain age ranges be disadvantaged as a result of your proposals?</strong>&lt;br&gt;If the impact is negative, how will it be reduced or eliminated?&lt;br&gt;<strong>If you are unable to eliminate, reduce or mitigate negative impacts, are your proposals potentially discriminatory on the grounds of age?</strong></td>
<td>N</td>
<td>No one age group of people will be disadvantaged over another.</td>
<td></td>
</tr>
<tr>
<td><strong>Will the proposals mean that people within certain age ranges will experience positive outcomes?</strong>&lt;br&gt;Highlight any positive impacts</td>
<td>Y</td>
<td>Salford as a city with significant areas of deprivation is inevitably doubly challenged by both higher rates of childhood obesity and takeaways supplying high calorific foods. Young people are particularly susceptible in this environment. Any measure which potentially controls the availability of fast food to children outside of parental supervision is a positive contribution to managing the environmental factors which...</td>
<td></td>
</tr>
</tbody>
</table>
contribute to obesity.

All age groups are likely to benefit from the revisions to the document. Young people and children are however likely to receive the greatest direct health benefits associated with the new restrictive opening policy near to schools.

Are the proposals likely to impact on community cohesion? Is there potential to enhance relationships between people who share a protected characteristic and those who do not? Identify areas where there is potential to foster good relations

Y

Community safety and anti-social behaviour are tackled within the draft document. A new policy is proposed requiring where necessary a financial contribution towards, or installation of safety and security measures.

This has the potential to have a positive impact on community cohesion across all age groups. By taking measures to help address crime and anti-social behaviour, this can assist in the strengthening of communities, and can help to create places where people want to live and visit.

Also, by limiting access to further hot food take aways, there may be less incentive for children of secondary school age to leave school grounds at lunchtime. Consequently this may result in a more cohesive school community where pupils may choose to take part in lunchtime school organised activities/socialise with a wider range of pupils which they would not ordinarily do so if they left school grounds at lunchtime.

Section D (continued) – Potential impacts and how these will be addressed

Could your proposals have a differential impact relating to disability equality

Yes (Y) No (N) Explain impact(s) and what evidence or data exists to support your analysis?
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will people with a disability not be getting the outcome they need?</td>
<td>N</td>
<td>People with a disability will not be disadvantaged by the proposal. The revised SPD updates the 2007 SPD, summarising the requirements of the Equalities Act 2010, explaining that the act requires reasonable adjustments to be made in relation to accessibility. In practice this means that due regard must be given to any specific needs of likely building users that might be reasonable met. The requirements apply to all buildings where services are provided to the public including hot food take aways. In addition, applicants are strongly encouraged to consider the provision of a section of the counter within the take away at an appropriate height for wheelchair users and the provision of sufficient space to allow for the movement of wheelchairs within the premises. Where the hot food take away is a new build or change of use from any use other than retail the premises will need to comply with Building Regulations Part M – access to and use of buildings.</td>
</tr>
<tr>
<td>Will the proposals mean that people with disabilities will experience positive outcomes? Highlight any positive impacts</td>
<td>Y</td>
<td>The SPD signposts applicants to the relevant legislation to ensure as far as possible that new premises are accessible. On this basis the SPD promotes positive outcomes for potential customers who have disabilities.</td>
</tr>
<tr>
<td>Are the proposals likely to impact on community cohesion? Is there potential to enhance relationships between people who share a protected characteristic and those who do not? Identify areas where there is potential to foster good relations</td>
<td>Y</td>
<td>The SPD signposts applicants to the relevant legislation to ensure as far as possible that new premises are accessible. A key contributor to community cohesion is integration and equal participation. Given that that the SPD promotes equality of opportunity to accessing hot food take away outlets, this is considered to positively contribute to community cohesion.</td>
</tr>
<tr>
<td>Question</td>
<td>Yes (Y)</td>
<td>No (N)</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>---------</td>
<td>--------</td>
</tr>
<tr>
<td>Could your proposals have a differential impact relating to gender equality (this includes pregnancy and maternity)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will men, women or boys and girls not be getting the outcome they need?</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td>Will men, women or boys and girls be disadvantaged as a result of your proposals?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If the impact is negative, how will it be reduced or eliminated?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If you are unable to eliminate, reduce or mitigate negative impacts, are your proposals potentially discriminatory on the grounds of gender?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will the proposals mean that men or women, boys or girls will experience positive outcomes?</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td>Highlight any positive impacts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are the proposals likely to impact on community cohesion?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is there potential to enhance relationships between people who share a protected characteristic and those who do not?</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td>Identify areas where there is potential to foster good relations</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Section D (continued) – Potential impacts and how these will be addressed
<table>
<thead>
<tr>
<th>Could your proposals have a differential impact relating to equality for people planning, undergoing or who have undergone gender reassignment?</th>
<th>Yes (Y)</th>
<th>No (N)</th>
<th>Explain impact(s) and what evidence or data exists to support your analysis?</th>
</tr>
</thead>
</table>
| **Will people planning, undergoing or who have undergone gender reassignment not be getting the outcome they need?**  
Will people planning, undergoing or who have undergone gender reassignment be disadvantaged as a result of your proposals?  
If the impact is negative, how will it be reduced or eliminated?  
*If you are unable to eliminate, reduce or mitigate negative impacts, are your proposals potentially discriminatory on the grounds of gender reassignment?* | N | Given the nature of the proposed revisions to the document it is not considered that there would be any differential impact relating to people planning, undergoing or who have undergone gender reassignment. |
| **Will the proposals mean that people planning, undergoing or who have undergone gender reassignment will experience positive outcomes?**  
Highlight any positive impacts | N | Given the nature of the proposed revisions to the document it is not considered that there would be any differential impact relating to people planning, undergoing or who have undergone gender reassignment. |
| **Are the proposals likely to impact on community cohesion?**  
Is there potential to enhance relationships between people who share a protected characteristic and those who do not?  
Identify areas where there is potential to foster good relations | N | Given the nature of the proposed revisions to the document it is not considered that there would be any differential impact relating to people planning, undergoing or who have undergone gender reassignment. |

Section D (continued) – Potential impacts and how these will be addressed

19
<table>
<thead>
<tr>
<th>Could your proposals have a differential impact relating to race equality</th>
<th>Yes (Y)</th>
<th>No (N)</th>
<th>Explain impact(s) and what evidence or data exists to support your analysis?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will certain racial groups not be getting the outcome they need?</td>
<td>N</td>
<td>The new restrictive opening policy close to schools could reduce the number of new hot food take aways across certain areas of the city. Restricting the operation of new hot food takeaway businesses in some areas of the city may impact upon some BME groups who often operate these types of businesses. It must however be recognised that hot food take aways are not solely operated by the BME population. Any potential reduction in the number of hot food take aways opening in close proximity to schools due to these restrictions could potentially be offset by the change in policy relating to the granting of planning permission for proposed outlets adjacent to residential properties. Nonetheless, through the CIA process, the question has been raised whether applying the restrictions to both primary and secondary schools is a reasonable approach. There is evidence to support a restriction around secondary schools (in that fast food outlets in close proximity to secondary schools were an obstacle to their pupils eating healthily). There however does not appear to be similar evidence at the local level, nor through research in other local authority areas, to suggest there is a similar relationship between hot food take aways close to primary schools and this acting as an obstacle to children eating healthily. It is thought the majority of primary school pupils are not permitted out of the school grounds during the schools day, and pupils are likely to be accompanied by an adult for the journeys to and from school. On this basis, it would seem to be an overly restrictive approach, and an unreasonable restriction to new hot food take away businesses, to apply the proposed policy to both primary and secondary schools. Similarly, given that children tend not to be in school on a weekend, it has been concluded that the restrictions should only apply Monday to Friday.</td>
<td></td>
</tr>
<tr>
<td>Will certain racial groups be disadvantaged as a result of your proposals?</td>
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<tr>
<td>If the impact is negative, how will it be reduced or eliminated?</td>
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<tr>
<td>If you are unable to eliminate, reduce or mitigate negative impacts, are your proposals potentially discriminatory on the grounds of race?</td>
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</table>

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In light of the aforementioned and given public concerns expressed through the draft consultation it is concluded that the draft policy on hot food take aways and schools should be amended to read as follows:

Where a hot food take away is proposed within 400 metres of a secondary school, planning permission will only be granted subject to a condition that the premises are not open to the public before 5pm Monday to Friday and there are no over the counter sales before that time.

This policy will not apply to hot food take aways proposed in:
A) A designated local centre, town centre or the Manchester/Salford City Centre; or
B) Locations that would be unlikely to be accessed by pupils of a nearby school.

Any remaining negative impact on food choice, employment and the creation of new businesses following changes to the draft policy is thought to be outweighed by potential benefits of contributing to the creation of a more healthy population.

A new policy is proposed requiring, where necessary, a financial contribution towards, or installation of necessary safety and security measures. This may in some instances place an additional burden on new hot food take aways, but will be only sought when they are necessary to make the development acceptable in planning terms. By contributing to create a safer environment, in turn an operators business could benefit, as if measures introduced contribute to the feeling of being safe then customers may be more likely to visit the premises at times when they otherwise may not have, for example after dark.

It would be expected that schools would cater for any ethnic/cultural/religious food requirements of their pupils. If they did not however, then by restricting hot food take aways around schools (potentially operated by the BME community), which could cater for such demand, this could restrict pupils access to a lunchtime meal.

| Will the proposals mean that people within certain racial groups will experience positive outcomes? | Y |
| Highlight any positive impacts | Changes in policy relating to the granting of planning permission for proposed hot food take aways adjacent to residential properties (draft revised policy HFTA4) could positively impact on all potential business owners. This is given that this arguably introduces a more flexible approach and the option to locate directly next to residential properties, subject to adequate odour and noise abatement |

21
Are the proposals likely to impact on community cohesion? Is there potential to enhance relationships between people who share a protected characteristic and those who do not? Identify areas where there is potential to foster good relations

<table>
<thead>
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<th>measures.</th>
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<tbody>
<tr>
<td></td>
<td>N</td>
<td>A small proportion of the BME community could be disadvantaged. In particular, the entrepreneurs who may have considered opening hot food take aways in the city close to schools. The proposed policy would not introduce a ban on new hot food take aways in close proximity to schools, there would however be a restriction on full operational hours. This may result in some people looking for business opportunities outside of the city, and as such, if they still lived in Salford, this may result in them feeling less a part of the community, given that their day to day interaction with fellow residents would be reduced. This impact how is considered to be minor given the small number of locations within the city affected by the amended policy which will now only apply to secondary schools.</td>
</tr>
</tbody>
</table>

Section D (continued) – Potential impacts and how these will be addressed

<table>
<thead>
<tr>
<th>Could your proposals have a differential impact relating to religion or belief equality</th>
<th>Yes (Y)</th>
<th>No (N)</th>
<th>Explain impact(s) and what evidence or data exists to support your analysis?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will people of certain religions or who have particular beliefs not be getting the outcome they need? Will people of certain religions or who have particular beliefs be disadvantaged as a result of your proposals? If the impact is negative, how will it be reduced or eliminated? If you are unable to eliminate, reduce or mitigate negative impacts, are your proposals potentially discriminatory on the grounds of religion or belief?</td>
<td>N</td>
<td>Potentially there is a great diversity of religious beliefs and cultural practices among the different minority ethnic groups in Salford. Any potential differential impacts relating to religion or belief are considered to be not dissimilar to those discussed above under race equality.</td>
<td></td>
</tr>
<tr>
<td>Will the proposals mean that people of certain religions or who have particular beliefs will experience positive outcomes?</td>
<td>Y</td>
<td>Potentially there is a great diversity of religious beliefs and cultural practices among the different minority ethnic groups in Salford. Any potential differential impacts relating to religion or belief are considered to be not dissimilar to those discussed above under race equality.</td>
<td></td>
</tr>
<tr>
<td>Are the proposals likely to impact on community cohesion? Is there potential to enhance relationships between people who share a protected characteristic and those who do not? Identify areas where there is potential to foster good relations</td>
<td>N</td>
<td>Potentially there is a great diversity of religious beliefs and cultural practices among the different minority ethnic groups in Salford. Any potential differential impacts relating to religion or belief are considered to be not dissimilar to those discussed above under race equality.</td>
<td></td>
</tr>
</tbody>
</table>

Section D (continued) – Potential impacts and how these will be addressed

<p>| Could your proposals have a differential impact relating to sexual identity equality | Yes (Y) | No (N) | Explain impact(s) and what evidence or data exists to support your analysis? |
| Will gay, lesbian and/or bi-sexual people not be getting the outcome they need? Will gay, lesbian and/or bi-sexual people be disadvantaged as a result of your proposals? If the impact is negative, how will it be reduced or eliminated? If you are unable to eliminate, reduce or mitigate negative impacts, are your proposals potentially discriminatory on the grounds of sexual identity? | N | Given the nature of the proposed revisions to the document it is not considered that there would be any differential impact relating to sexual identity. |</p>
<table>
<thead>
<tr>
<th>gay, lesbian and/or bi-sexual people will experience positive outcomes? Highlight any positive impacts</th>
<th>there would be any differential impact relating to sexual identity.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are the proposals likely to impact on community cohesion? Is there potential to enhance relationships between people who share a protected characteristic and those who do not? Identify areas where there is potential to foster good relations</td>
<td><strong>N</strong> Given the nature of the proposed revisions to the document it is not considered that there would be any differential impact relating to sexual identity.</td>
</tr>
</tbody>
</table>

**Section D (continued) – Potential impacts and how these will be addressed**

<table>
<thead>
<tr>
<th>Could your proposals have a differential impact on socio economic equality (people on a low income)?</th>
<th>Yes (Y)</th>
<th>No (N)</th>
<th>Explain impact(s) and what evidence or data exists to support your analysis?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will people on a low income not be getting the outcome they need? Will people on a low income be disadvantaged as a result of your proposals? If the impact is negative, how will it be reduced or eliminated? If you are unable to eliminate, reduce or mitigate negative impacts, are your proposals potentially discriminatory on the grounds of socio economic</td>
<td><strong>N</strong></td>
<td></td>
<td>Hot food take aways are a popular choice across all socio-economic groups but they can often meet the needs of those persons on a lower income in the city, providing cheaply priced convenient food. The tougher policy approach is likely to reduce future numbers of new hot food take aways in certain locations across the city. It is felt however that there is already sufficient number of such establishments to meet the city’s demands and that any impacts in terms of accessibility to such outlets would not be significant. The proposal to restrict opening of hot food take aways near to secondary schools could negatively impact on employment levels, particularly lower skilled employment opportunities. This impact is however considered to be minor given the limited areas affected and the policy does not impose an outright ban on new</td>
</tr>
</tbody>
</table>
inequality?  

<table>
<thead>
<tr>
<th>Will the proposals mean that people on a low income will experience positive outcomes? Highlight any positive impacts</th>
<th>Y</th>
<th>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 more healthy food options</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are the proposals likely to impact on community cohesion? Is there potential to enhance relationships between people who share a protected characteristic and those who do not? Identify areas where there is potential to foster good relations</td>
<td>Y</td>
<td>Reducing childhood obesity levels is a top priority for the council because overweight and obese children are more likely to become obese adults, and consequently have a higher risk of illness, disability and premature death. By having a healthier diet the likelihood of developing illnesses associated with obesity will be substantially reduced, thereby allowing for a much more active lifestyle and increasing the opportunities for social interaction, therefore contributing to a more cohesive society.</td>
</tr>
</tbody>
</table>

**Section D (continued) – Potential impacts and how these will be addressed**

<table>
<thead>
<tr>
<th>Could your proposals have a differential impact relating to any other equality groups, for example, carers, ex offenders?</th>
<th>Yes (Y)</th>
<th>No (N)</th>
<th>Explain impact(s) and what evidence or data exists to support your analysis?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will people within any other groups not be getting the outcome they need? Will people within any other</td>
<td>N</td>
<td>Given the nature of the proposed revisions to the document it is not considered that there would be any differential impact relating to any other equality groups.</td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td>Yes/No</td>
<td>Comment</td>
<td></td>
</tr>
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</tr>
</tbody>
</table>
| groups be disadvantaged as a result of your proposals? If the impact is negative, how will it be reduced or eliminated? If you are unable to eliminate, reduce or mitigate negative impacts, are your proposals potentially discriminatory for people within any other groups? |        | **N**  
Given the nature of the proposed revisions to the document it is not considered that there would be any differential impact relating to any other equality groups. |
| Will the proposals mean that people within any other groups will experience positive outcomes? Highlight any positive impacts Are the proposals likely to impact on community cohesion |        | **N**  
Given the nature of the proposed revisions to the document it is not considered that there would be any differential impact relating to any other equality groups. |
| Is there potential to enhance relationships between people who share a protected characteristic and those who do not? identify areas where there is potential to foster good relations |        | **N**  
Given the nature of the proposed revisions to the document it is not considered that there would be any differential impact relating to any other equality groups. |
Section E – Action Plan and review

Detail in the plan below, actions that you have identified in your CIA, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the equality areas, you should explain why

<table>
<thead>
<tr>
<th>Impact (positive or negative) identified</th>
<th>Proposed action</th>
<th>Person(s) responsible</th>
<th>Where will action be monitored? (e.g., Directorate Business Plan, Service Plan, Equality Action Plan)</th>
<th>Target date</th>
<th>Required outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health impacts particularly with regards to children but also the city’s wider population</td>
<td>Monitor any changes to health statistics.</td>
<td>Lead officer charged with revisions to SPD.</td>
<td>Existing annual health profile reports published on the partners in Salford website.</td>
<td>Annually when statistics are complied by the city council.</td>
<td>Positive change to health indicators, although it may take a number of years for any impacts to be shown. Even then there may not be a clear cause and effect relationship between any health changes and policy HFTA2 aims and objectives.</td>
</tr>
</tbody>
</table>

Could making the changes in any of the above areas have a negative effect on other groups? Explain why and what you will do about this.

N/A – All potential impacts have been explored in section D of the CIA.
Review
Your CIA should be reviewed at least every three years, less if it has a significant impact on people. Please enter the date your CIA will be reviewed: November 2016
Section F – Summary of your CIA

As your CIA will be published on the council’s website and accessible to the general public, a summary of your CIA is required. Please provide a summary of your CIA in the box below.

<table>
<thead>
<tr>
<th>Summary of Community Impact Assessment</th>
</tr>
</thead>
</table>

**How did you approach the CIA and what did you find?**

The CIA was facilitated by the lead officer charged with revising the document. A group discussion was held comprising a council equalities advocate, a service user and an additional spatial planning policy planning officer. The discussion centred on the questions set out in the CIA template document and were used to consider the main proposed changes to the hot food take aways SPD.

The direct impact of the revisions to the SPD will mainly fall on hot food take away operators (and anecdotally the BME community), restricting the operation of new business in close proximity to secondary schools (following amendments to draft policy HFTA 2). The health benefits particularly to children are however considered to outweigh any negative financial impacts.

The new proposed policy on hot food take aways and proximity to residential properties is likely to benefit potential hot food take away operators, in certain circumstances, allowing them to now open adjacent to residential properties, where previously in the majority of cases such planning applications would have been refused.

Other changes include the anti-social behaviour policy. This has the potential to contribute to creating safer communities to the benefit of all. The policy could impose a financial burden on take away proprietors, but contributions to creating a safer environment could in turn be beneficial to take away businesses, encouraging customers to visit hot food take away to purchase food at times once deemed to be potentially unsafe, for instance, after dark.

In the most part the benefits of the proposed changes outweigh any potential negative impacts.
What are the main areas requiring further attention?

It has been concluded that there should be amendments to draft policy HFTA 2 to restrict over the counter sales only Monday to Friday and apply this restriction in areas close to secondary schools but not primary schools. There is strong evidence\(^{14}\) to support a restriction on operation of new hot food take aways around secondary schools (in that fast food outlets in close proximity to secondary schools were an obstacle to their pupils eating healthily). There however does not appear to be similar evidence at the local level, nor through research in other local authority areas, to suggest there is a similar relationship between hot food take aways close to primary schools and this acting as an obstacle to children eating healthily. It is thought the majority of primary school pupils are not permitted out of the school grounds during the schools day, and pupils are likely to be accompanied by an adult for the journeys to and from school. On this basis, it would seem to be an overly restrictive approach, and an unreasonable restriction to new hot food take away businesses which are often operated by the BME community, to apply the proposed policy to both primary and secondary schools.

This amended policy approach will only impose restrictions on the operation of hot food take aways in a small number of areas of the city. For this reason, it is not considered the restrictions would unduly impact on the establishment of new hot food take away businesses. Consequently it is deemed unnecessary to monitor impact of the policy on protected characteristics including race, religion and/or belief.

Summary of recommendations for improvement

Amend draft Policy HFTA 2 so that any restrictions on over the counter sales only apply Monday to Friday and in close proximity to secondary schools but not primary schools.


Section G – Next Steps

Quality Assurance

When you have completed your CIA, you should send it to your directorate Equality Link Officer who will arrange for it to be quality assured. Your CIA will be returned to you if further work is required. It is important that your CIA is robust and of good quality as it may be challenged

“Sign off” within your directorate

Your directorate Equality Link Officer will then arrange for your CIA to be “signed off” within your directorate (see below). Your directorate Equality Lead Officer or other senior manager within your directorate should “sign off” your CIA (below).

<table>
<thead>
<tr>
<th>Name</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Manager</td>
<td>Chris Findley</td>
<td>2 January 2014</td>
</tr>
<tr>
<td>Lead CIA Officer</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Publishing

When your CIA has been signed off within your directorate, your directorate Equality Link Officer will send it to Elaine Barber in the Equalities and Cohesion Team for publishing on the council’s website.

Monitoring

Your directorate Equality Link Officer will also send your CIA to your directorate Performance Officer where the actions identified within your CIA will be entered into Covalent, the council’s performance management monitoring software so that progress can be monitored as appropriate.