

**Subject: Interim Policy Statement: Hot Food Takeaways**

**Status:** For Publication

**Report to:** Policy Overview and Scrutiny

**Date:** 16<sup>th</sup> June 2009

**Report of:** Executive Director – Business

**Portfolio**

**Holder:** Portfolio Holder for Regeneration

**Key Decision:** Yes

Forward Plan

General Exception

Special Urgency

**1. PURPOSE OF REPORT**

1.1 The attached document is the Interim Policy on Hot Food Takeaways that require planning permission. The policy seeks to control the location of Hot Food Takeaways and the number in any location, their hours of opening and impact on visual and residential amenity. The other criteria include the proximity of Hot Food takeaways to schools, youth facilities and parks, bin storage and waste disposal, ventilation, highway safety, parking, servicing and turning, accessibility both by public transport and for the mobility impaired up to and into the shop. The Policy also has a chapter on how the policy will be monitored.

1.2 Approval of the Policy, Overview and Scrutiny Community is sought to recommend that Cabinet authorise the Policy to be consulted upon for a period of just over 6 weeks and be used for the determination of planning applications with immediate effect. The consultation period would start from 18<sup>th</sup> June 2009 seeking the views of the statutory consultees, local businesses and residents as well as other stakeholders. The closing date for responses would be Friday 31<sup>st</sup> July 2009, after which the responses will be collated and considered with the final document being amended where necessary. The Policy will be brought back to Cabinet for adoption and final publication.

**2. CORPORATE PRIORITIES**

2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective.

- Delivering Quality Services to Customers (Customers, Improvement)
- Delivering Regeneration across the Borough (Economy, Housing)
- Keeping Our Borough Clean and Green (Environment)
- Promoting Rossendale as a cracking place to live and visit (Economy)

- Improving health and well being across the Borough (Health, Housing)

### **3. RISK ASSESSMENT IMPLICATIONS**

3.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- The Interim Policy Statement: Hot Food Takeaways will be an essential tool in assisting the regeneration of Rossendale, keeping the Borough clean and would assist in health and well-being across the Borough. The Policy would achieve this by controlling the location and number of Hot Food Takeaways thereby keeping the Borough's Town Centres vital and viable as well as securing improvements in visual amenity where approval is given. The Policy would assist in keeping the Borough clean through the provision of adequate litter bins and suitable waste management within the proposals. The policy would seek to locate new Hot Food Takeaways some distance from schools, youth facilities and parks. Resisting applications for planning permission where such problems exist would be much more difficult and costly for the Council without this Interim Policy.

### **4. BACKGROUND AND OPTIONS**

- 4.1 The purpose of this Interim Policy is to set out clearly the Council's policy of where new proposals for Hot Food Takeaways should be located, the density of such uses and the considerations the Council will expect applicants to have addressed in order to make their schemes acceptable to gain planning permission.
- 4.2 The current draft of the document is ready to be consulted upon for a period of just over 6 weeks starting from 18<sup>th</sup> June 2009 although authority is sought to adopt the Policy for Development Control with immediate effect.
- 4.3 Following the consultation process, all comments will be collated, considered and the final Interim Policy will be amended where necessary with a view to returning the document to Cabinet for final adoption.

#### **COMMENTS FROM STATUTORY OFFICERS:**

### **5. SECTION 151 OFFICER**

5.1 There are no material financial implications.

### **6. MONITORING OFFICER**

6.1 There are no legal implications arising from this report.

**7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)**

7.1 There are no material people or organisational development related implications from this report.

**8. CONCLUSION**

8.1 The Interim Policy has been drafted and is ready to be consulted on to be used in determining planning applications. This provides the Council with a policy document which will gain increasing weight when seeking to control new Hot Food Takeaway development in the Borough.

**9. RECOMMENDATION(S)**

9.1 That the Policy, Overview and Scrutiny Committee recommend that Cabinet authorise the document to be consulted on for a period of 6 weeks and that the Policy be adopted for Development Control purposes with immediate effect.

**10. CONSULTATION CARRIED OUT**

10.1 N/A.

**11. EQUALITY IMPACT ASSESSMENT**

Is an Equality Impact Assessment required Yes

Is an Equality Impact Assessment attached Yes

**12. BIODIVERSITY IMPACT ASSESSMENT**

Is a Biodiversity Impact Assessment required Yes

Is a Biodiversity Impact Assessment attached Yes

<b>Contact Officer</b>	
Name	Adrian Harding
Position	Principal Planning Officer
Service / Team	Forward Planning
Telephone	01706 238646
Email address	<a href="mailto:adrianharding@rossendalebc.gov.uk">adrianharding@rossendalebc.gov.uk</a>

Either

Background Papers	
Document	Place of Inspection
<b>Interim Policy Statement: Café's, Restaurants and Hotfood Takeaways</b>	Adrian Harding 01706 238646 One Stop Shop

