

HEALTH SCRUTINY PANEL

A meeting of the Health Scrutiny Panel was held on 14 January 2020.

PRESENT: Councillors D P Coupe (Vice Chair), A Hellaoui, S Hill, D Rooney and M Storey

ALSO IN ATTENDANCE: James Cain - Local Democracy Reporter - Evening Gazette

OFFICERS: Caroline Breheny - Democratic Services Officer
Paul Clarke - Head of Planning

APOLOGIES FOR ABSENCE Councillor J McTigue (Chair), Councillor T Mawston, Councillor M Saunders and Councillor P Storey.

DECLARATIONS OF INTERESTS

There were no declarations on interest at this point in the meeting.

1 MINUTES - HEALTH SCRUTINY PANEL - 19 NOVEMBER 2019

The minutes of the Health Scrutiny Panel meeting held on 19 November 2019 were approved as a correct record.

2 THE POWER OF PLANNING POLICY IN REDUCING HEALTH INEQUALITIES - UPDATE

The Head of Planning Policy was in attendance at the meeting to provide an update to the panel in respect of recommendations put forward on the use of planning policy to reduce health inequalities. In October 2018 the Executive had considered a report entitled 'Publication - Local Plan' and the Health Scrutiny Panel had submitted a letter alongside that report, which contained two recommendations it wished to put forward, as follows:-

Recommendation 1: That Policy EG7 on Hot Food Takeaways, as detailed in the Local Plan, be fully endorsed by the Health Scrutiny Panel following the inclusion of additional point e. applications for A5 uses will be required to be accompanied by a Health Impact Assessment, and, where an unacceptable adverse impact is established, permission will not be granted.

Recommendation 2: That the Council prepare a Supplementary Planning Document (SPD) to control Hot Food Takeaway proposals, particularly from the perspective of improving the health and well-being of Middlesbrough's population.

The panel was advised that Policy EG7 on Hot Food Takeaways was taken on board and incorporated into the Draft Local Plan, which was originally published in December 2018. However, the Planning Policy Team was currently in the process of redrafting that document although the Policy EG7 on Hot Food Takeaways had been retained as an interim policy. This meant that some weight could be attached to it during the decision making process.

In relation to the requirement for a Health Impact Assessment to be required in respect of A5 uses it was advised that concerns had been expressed by Planning colleagues that this unnecessary in practice when Public Health had already indicated it would be recommending refusal of any such applications. The rest of the policy would remain in force and this was detailed as follows:-

There was also a recognised link between take away food and obesity. Childhood obesity, and excess weight, were significant health issues in Middlesbrough, with national evidence identifying Middlesbrough's obesity rates in school children to be higher than the national average. The Council, in order to improve health and wellbeing in the Town and encourage healthier eating choices, would carefully manage applications for hot food takeaways in specific locations (for example, within walking distance of schools) as well as consider their proliferation.

Proposals for hot food takeaways (A5 Class Use) would only be permitted where the proposed use would not:

1. result in the proportion of the total units in the centre in A5 uses exceeding 10%; or
2. result in more than two adjacent hot food takeaway A5 uses; or
3. be located within designated Shopping Frontage; and in addition to the above criteria, in order to promote healthier communities:
4. planning permission would not be granted for A5 uses within 400m walking distance of an entry point to a secondary school; and
5. applications for A5 uses would be required to be accompanied by a Health Impact Assessment, and, where an unacceptable adverse impact on health was established, permission would not be granted.

Hot food takeaway (A5 class use) would not be permitted outside of a defined centre.

In addition a Hot Food Takeaway Supplementary Planning Document (SPD) would only come into force once the Local Plan had been adopted. It was anticipated that the process of having the Local Plan formally adopted would take approximately 18 months to complete and the SPD would be drafted once this had been completed.

The Head of Planning Policy advised that the current policy was very restrictive, with Hot Food Takeaways not permitted outside of defined local centers. In the last nine months, only two to three Hot Food Takeaway applications had been considered by the Council's Planning Committee, with refusal recommended for any located outside of a defined local centre.

Members of the panel expressed the view that they were pleased the policy was as strong as it is. Yet queried whether a case was more likely to be overturned by the Planning Inspectorate, where an application for a Hot Food Takeaway was refused, owing to the fact that Middlesbrough's Local Plan had yet to be formally adopted. It was explained that even had the Local Plan not been withdrawn, objections to the policy had been already been submitted by KFC and McDonalds and therefore until the Local Plan had been through the full examination process and adopted by full Council it would remain an unknown.

Although it would have been preferable to have fully adopted Local Plan, Policy EG7 had been adopted an interim policy and given the importance of the health agenda locally, the provisions in place were good. It was anticipated that the Local Plan would adopted in the summer of 2021 but given the nature of this particular policy it was likely to be challenged. However, until tested at appeal it was unknown as to how exactly it would be challenged. Gateshead, for example, had built in the provision that planning permission would not be granted for A5 uses within 400m walking distance of an entry point to a secondary school and had prepared a strong evidence base to support it. Public Health had provided a strong evidence base in Middlesbrough and the Head of Planning Policy was fully in support of it progressing to the examination stage.

Reference was made to the Council's revised Strategic Plan for the 2020-2023 period and the importance of ensuring that the Council works collaboratively with local communities to improve local health and wellbeing, with a particular focus on tackling obesity.

AGREED: That a letter to the Mayor be drafted to ensure sufficient emphasis was given in the 2020-2023 period to begin to address the issue of obesity at a system level.

3

EXAMINATION OF SUPPORT OFFERED LOCALLY TO THE LGB&T COMMUNITY WITHIN HEALTH SERVICES - REVIEW REQUEST

In 2018/19 the Adult Social Care and Services Scrutiny Panel undertook a review entitled 'The LGB&T Community and Elderly Care' and put forward a recommendation that a wider related project be undertaken by the Health Scrutiny Panel. The Panel was advised that recommendation was subsequently approved by the Executive and consideration therefore needed to be given to how this review work would be progressed by the panel in 2019/20.

Members discussed the need for this issue to be considered and highlighted some of the key

concerns, which had been raised during the Adult Social Care and Services Scrutiny Panel's review in respect of this topic. The view was expressed that in the first instance it would possibly be helpful to have a look at access to health services, particularly mental health services, for young people who identify as lesbian, gay, bisexual or transgender LGB&T. This view endorsed by other Members of the panel and an invite would be extended to the relevant NHS representatives.

AGREED: That an invite be extended to STCCG and Middlesbrough CAMHS Team to attend a future meeting of the panel to discuss the accessibility of health services by young people who identify as LGB&T.

4 **OVERVIEW AND SCRUTINY BOARD - UPDATE**

The Chair provided a verbal update in relation to matters considered by the Overview and Scrutiny Board on 9 January 2020.

AGREED that the OSB update be noted.

5 **URGENT ITEMS**

Palliative Care The Democratic Services Officer advised that a email had been received from the Chair of the North East Joint Health Scrutiny Committee, Cllr McCabe at South Tyneside Council, to enquire as to whether there was any interest from Middlesbrough Council in contributing to a regional health scrutiny review in respect of Palliative Care.

It was explained that the future development and funding of Palliative Care had become a major issue in South Tyneside since the closure of St Claire's Hospice in Jarrow. Cllr McCabe was seeking to establish whether this was also an issue in other parts of the North East. Reference was made by Members of the panel to the fact that the topic of End of Life and Palliative Care had actually been selected as a topic by the Adult Social Care and Services Scrutiny Panel for 2019/20 and was certainly an issue of interest in Middlesbrough. The suggestion for this topic had to be considered had been put forward by the Chief Executive of Teesside Hospice. It was also highlighted by Members that since January 2020 Zoe's Place, which provides Palliative, Respite and End-of-Life Care to babies and infants was having to close two nights a week due to funding pressures.

The view was expressed that there was interest from Members in contributing to a regional piece of work on this issue and a response would be provided to the Chair of the North East Joint Health Scrutiny Committee.

Ehlers-Danlos Teesside A member of the Panel advised that he had recently attended a meeting with the CCG along with representatives from Ehlers-Danlos Teesside and had been extremely impressed with the work undertaken. A number of awareness sessions had taken place, funding had been secured to deliver the GP toolbox and this was now available across all GP surgeries in South Tees and more people were starting to be diagnosed locally. It was advised that a number of very positive outcomes had been achieved.