

Briefing for the Health and Wellbeing Board on the use of licensing powers January 2017

At the November 2016 meeting of the Health and Wellbeing Board a briefing was requested on the use of licensing to secure health improvement. This briefing is based on a response to Health overview and scrutiny that addressed the question of regulatory powers following the publication of the Royal Society of Public Health report “Health on the High Street” in 2015. This report was written in light of the negative changes that have happened to some high streets in the country owing to the rise of out of town and internet shopping and the economic downturn and asked what more local authorities could do to secure a healthy high street.

The report places importance on the high street as an important part of vibrant communities and that they have an important role to play in supporting the public’s health. Unfortunately high streets can be home to business activities that may undermine and harm the public’s health such as fast food restaurants, bookmakers and tanning salons.

The report researched the positive and negative impact that businesses on the high street can have from the public’s health. They reviewed evidence as well as using input from public and expert opinions to develop a table of the best and worst businesses in relation to health promotion.

Most health promoting	Least health promoting
Health services	Tanning shops
Pharmacies	Fast food takeaways
Leisure centres/health clubs	Bookmakers
Libraires	Payday lenders
Museum and art galleries	
Pubs and bars	

They used this alongside a scoring system based on to what extent these businesses:-

- Encourage healthy lifestyle choices
- Promote social interaction
- Allow greater access to health care services and/or health advice
- Promote mental wellbeing.

The report authors used desk based research in 70 of the largest towns and cities to provide a ranking of the unhealthiest retail areas. This highlighted that the 10 unhealthiest retail areas are situated in some of the areas with the worst health outcomes. Doncaster was ranked **in the top 25% healthiest retail areas**.

The area used for Doncaster is unknown and the information was requested from the RoSPH but unfortunately they were unable to provide the specific location but they do not have access to the data that they used in the report.

It is worth noting with this survey the definition of least and most health promoting. The scoring was on the basis of several factors, including 'promoting social interaction' and 'promoting mental well-being' – it could be argued that whilst we recognise the dangers of out of control gambling and the effect this has on personal economy and wellbeing, it also provides opportunity for social interaction that would otherwise not take place. Alternatively pubs and bars provide social interaction but in some cases where there is proliferation and discount bar promotions which encourage irresponsible drinking behaviour can contribute to unhealthy behaviours.

Therefore it is advised that future work using this approach must consider areas individually based on the specific characteristic of that community and residents.

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Appendix 1: Health on the High Street – Mapping of activity in Doncaster

The table below outlines areas of work that supports our high streets in Doncaster to be health promoting and to mitigate business activity that can have detrimental effects on our health. The template is based upon those businesses considered to be the least health promoting and the specific recommendations by the Royal Society of Public Health report “Health on the High Street”. A number of the recommendations made by the RSoPH are aimed at central government policy. Other examples of local work have also been included that may support high streets to become more health promoting.

All premises			
	RSPH Recommendation	Examples of Local Doncaster Action	
1	A limit on the proportion of each type of business on a high street to avoid saturation and provide affordable choice (in particular fast food outlets).	DMBC Public Health Intelligence team have been doing a piece of work to map childhood obesity by community to distribution of fast food outlets with the aim to inform future action.	
2	For planning controls to prevent the proliferation of betting shops, payday lenders and fast food outlets	<p>Planning policies are in place that restrict the number of non-retail uses such as fast food and betting outlets within existing town centres. Non-retail uses must not detract from the character and vitality of the shopping street or create an unacceptable length of non-retail frontage. In addition, proposals that are likely to create or aggravate environment, amenity, traffic or parking problems and are inappropriate in scale and type to the centre will not be permitted.</p> <p>The emerging Local Plan will review how to update and improve planning policy controls over health issues such as betting shops, payday lenders as well location of</p>	

		<p>development, creating accessible & safe places, community interaction, green infrastructure in order to create healthy inclusive communities.</p> <p>Conditions are imposed on planning permissions, where necessary, to restrict opening hours and prevent the use of premises as hot-food-takeaways. Hot-food-take-aways are only permitted in existing centres, employment areas and existing retail parks</p>	
3	Include health as a condition for licensing of all types of businesses	<p>Changes to the licensing objectives require national government action. In Doncaster, there has been the use of Cumulative Impact Policy in a number of streets in the Town Centre in relation to premises selling alcohol. Doncaster is not going to support the deregulation of late night fast food outlets enabling licensing to have the ability to monitor these establishments.</p>	
4	For legislation that allows local councils to set their own differential business rates	<p>If this power becomes available to local councils this could allow favourable business rates to be applied to those businesses that are deemed to be health promoting.</p>	
5	Greater promotion of healthy products within shops	<p>Obesity OBA plan aims to work with local organisations to increase access to healthier food.</p>	
6	Encourage retailers to change the positioning of unhealthy snack foods, such as sweets and chocolates, away from checkouts and queuing areas	<p>A recommendation for government to ban the positioning of unhealthy food items next to checkouts and queuing areas.</p>	
7	Encourage shops to move e-cigarettes from next to checkouts	<p>This is a call on government to ban the positioning of e-cigarettes next to all checkouts to prevent the normalisation of their use.</p>	

		Doncaster has a targeted e cigarette project including advisory inspections regarding new underage sales requirements and sampling for product safety.	
Bookmakers, payday lenders and pawn brokers			
8	High street businesses to signpost customers to a wide range of support charities.	In Doncaster, we have provided GP surgeries with information on the impact that gambling can have on individual's lives. Recent mapping has identified that there is no correlation between the locations of gambling establishments and areas of high deprivation, but that they are where there are a lot of shops. The Senet Group (promote responsible gambling standards) has promoted gambling addiction services throughout GP practices in Doncaster.	
9	Bookmakers to halve the maximum stake on fixed odds betting terminals (FOBTs) from £100 to £50	This is a recommendation for government action.	
10	Introduction of cigarette-style health warnings	This is a recommendation for government to ensure there are clearly displayed warnings of the health risks to gambling and debt. The association between severe debt and mental health is well-established.	
Tanning Salons			
11	Encourage tanning salons to switch from sunbeds to offering spray tans		
12	Unmanned tanning salons to be banned in England and the use of safety goggles enforced for all sunbed users	This is a call on the government. In Doncaster, there are 40 sunbed salons and no known unmanned tanning salons. Visits by DMBC are via requests from the premises or if there has been a complaint. Information on the operation of these salons is limited.	

	Premises encouraged to comply with legislative controls on radiation levels , product safety and underage sales	All premises advised of the legislative changes in radiation limits for these products, the authority is in the process of visiting these premises to gauge compliance and take appropriate enforcement action to gain compliance.	
Fast Food Outlets			
13	Fast food outlets encouraged to control portion sizes, adopt healthier cooking methods and improve the health environment they provide	<p>Obesity OBA plan aims to work with local organisations to increase access to healthier fast food outlets, as yet I am aware of no work with local outlets, however, this is a possibility in the future.</p> <p>Doncaster participated in the healthier catering advice pilot for Italian Restaurants and pizza takeaways and for the reduction in trans fats (2013) - the 2 pilots never developed into a full initiative but the info is still available for use – see embedded files</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  Italian restaurant tips v3.doc </div> <div style="text-align: center;">  Pizza takeaway tips v3.doc </div> </div> <div style="display: flex; justify-content: space-around; align-items: center; margin-top: 10px;"> <div style="text-align: center;">  Tips on artificial trans fats - for testing with </div> <div style="text-align: center;">  Tips on artificial trans fats - Additional infor </div> </div>	
14	Mandatory food hygiene ratings and calorie and nutrition labelling for fast food outlets	RSPH recommend that the English government make it mandatory to display food hygiene ratings and for fast food outlets to provide clear nutritional information.	
Premises Licensed to Sell Alcohol			

15	For tighter controls on the numbers of premises licensed to sell alcohol in already saturated areas	 Model CIP for Doncsater.pdf Doncaster is one of 20 pilot areas under the Local Alcohol Action Areas. This report outlines the evidence to assess the feasibility of a CIP outside of the town centre for off licenced premises. The Licensing Policy Statement is currently under review with a new policy to be in place by January 2016. It is looking likely that the CIP in the town centre will be retained with the addition of 2 extra streets and new CIP areas will be introduced for part of Wheatley and Bawtry. (TBC 26/11/15). If adopted in their current form these CIPs will apply to all licensed premises including alcohol and late night refreshment premises.	
	Control of the premises that have already have licences	Intelligence lead inspection programme tacking counterfeit and illicit sales including the use of responsible authority powers to review and possibly revoke premise licences	
Other aspects that impact on a health promoting high street (these areas are mentioned in the RSoPH report but not in their recommendations)			
	Legal Highs		
	The authority has a zero tolerance to sales of these products and the premises that sell them.	Seizure of offending product where evidence of the unsafe nature of the products is found. Forfeiture proceedings where products are analysed as being psychoactive and unsafe/dangerous under product safety legislation. Guidance to any retailer on the new legislative requirements that are proposed to be in place	

		in April 2016	
	Illegal/counterfeit tobacco & alcohol		
	Outlets selling these products are encouraged to comply with legislative controls on tobacco and Nicotine control.	Intelligence lead enforcement programme tackling illicit and counterfeit tobacco sales. Intelligence lead programme of underage sales enforcement. Including the use of Tobacco banning orders where required Review of compliance with the Tobacco advertising and Promotion at small retail premises. Targeted e cigarette project including advisory inspections regarding new underage sales requirements and sampling for product safety. Partnership Education programme (Fakes cause fires) targeted at fake/illicit tobacco and electrical goods and the increased risk of fire.	
	Underage sales		
	Premises selling products with age restriction	See alcohol, Tobacco/Nicotine products sunbed entries.	
	Good Urban design		
	Good urban design principles can make a high street attractive and enable residents feels safe as well as encouraging active travel and a place for social interaction.	The Doncaster Core Strategy encourages good urban design via policy CS14. This is supported by detailed guidance in the Development Guidance and Requirements Supplementary Planning Document. Both are adopted Council documents and are therefore material considerations in the consideration of planning applications. Amongst other things they seek to ensure new developments create attractive, safe and accessible commercial environments and public places. Once adopted the new Local Plan will supersede the Core Strategy and introduce a range of planning policies to	

		support these objectives.	
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