**Planning and Compulsory Purchase Act 2004**

**Localism Act 2012**

**Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)**

**Healthy Torbay Supplementary Planning Document – Public Participation Statement**

1. **Introduction**
   1. This Public Participation Statement sets out how Torbay Council has engaged and consulted with stakeholders on the Healthy Torbay Supplementary Planning Document (SPD) in accordance with Regulation 12 of the Town and Country Planning Regulations (Local Planning) (England) Regulations 2012 (as amended).
   2. This statement provides details of the public engagement and consultation activities on the SPD, summarising the feedback that was provided from those activities and how this feedback has informed the final SPD. The period of statutory public consultation was 20 February – 20 March 2017.
2. **Purpose of the SPD**
   1. The Healthy Torbay SPD focuses on issues related to matters of health and wellbeing and how they should be positively addressed through the development planning process in Torbay in the context of building upon and providing more detailed advice and guidance to policies contained within the ­Local Plan.
3. **Consultation on the Draft SPD**
   1. Formal public consultation was undertaken for a period of 4 weeks from 20 February through to 20 March 2017. The consultation methods consisted of publishing the draft plan on the Council’s website, making it available at Torbay Council offices and libraries during normal opening hours, as well as an invitation to comment being sent to statutory consultees and those persons who registered on the Council’s planning consultation database. The Council also sent a ‘newsflash’ to persons on the Council’s list of planning agents alerting the development industry to the consultation on the SPD. In addition, the local printed newspaper/media ran a news story on the SPD which provided additional local publicity.
   2. A total of 7 written responses were received during the consultation period. In addition, verbal input from stakeholders was provided. Following the consultation, responses were processed, analysed and carefully considered. Where appropriate those comments have informed revisions to the draft SPD.
4. **Summary of main issues raised during consultation and how those issues were addressed**
   1. *Healthy design*

There was general support for the healthy design principles contained within the Torbay Healthy Planning Checklist and the aims of the checklist to support the consideration of health and wellbeing throughout the development process. A number of constructive comments were made from various stakeholders which have resulted in additional content in the final SPD relating to the checklist to widen the scope of health and wellbeing issues which are covered. This includes:

* Crime Prevention through Environment Design (CPED),
* the consideration of wider environmental access issues, related to persons with particular access requirements
* active travel and physical activity (referencing Sport England guidance – ‘Active Design’)
* green infrastructure and the wider health benefits of trees (air quality, urban heat island and flood risk)

Additional detail regarding ‘Active Design’ was added within the narrative explaining the importance of the built environment in the context of health in order to highlight the importance of physical activity.

* 1. *Health Impact Assessment*

Support was received for the flexible approach to HIA and the emphasis on information being provided proportionate to the application. The Council has sought to clarify this further through additional guidance relating to how the screening and scoping stages should be undertaken, recognising that whilst the processes are iterative, the need for HIA scoping detail should only be required if it helps add clarity to the need for HIA (screening).

* 1. *Hot food takeaways*

Positive support for the approach of issuing supporting guidance for the management of new hot food takeaways was supported by the Torbay Health & Wellbeing Board and by partners in the local health sector (Clinical Commissioning Group and the NHS) through the local Healthy Weight Steering Group in recognition of the nationally and regionally significant prevalence of excess weight in adults and children in Torbay.

An objection to the guidance was received from a representative of a national chain fast food outlet. The Council considered the response in detail and whilst the Council did not agree with many of the points raised by the objection (which would have had the effect of completely removing the guidance) the Council made a number of changes to the guidance to add clarity, robustness, justification and flexibility. These included removing the requirement for a restriction on hot food takeaways within 400 metres of youth centres and leisure centres, removing the 10% limit on hot food takeaways within town centres and making it clear that A5 uses outside retail centres should be managed in accordance with TC3 of the Local Plan. In addition, further evidence regarding the link between concentration of hot food takeaways and excess weight was added to the justification within the document. The Council believes the guidance fully supports policies contained within the Local Plan (compliance), responds to a significant local evidence base of acute need within Torbay and responds to an academic evidence base of cause and effect (soundness of approach).

Whilst the guidance is not a ‘silver bullet’ for tackling the issue of excess weight, it is an important part of taking a whole systems approach and complements wider multi-agency efforts through the local Healthy Weights Steering Group. This approach matches best practice and national guidance.