

Islington Council
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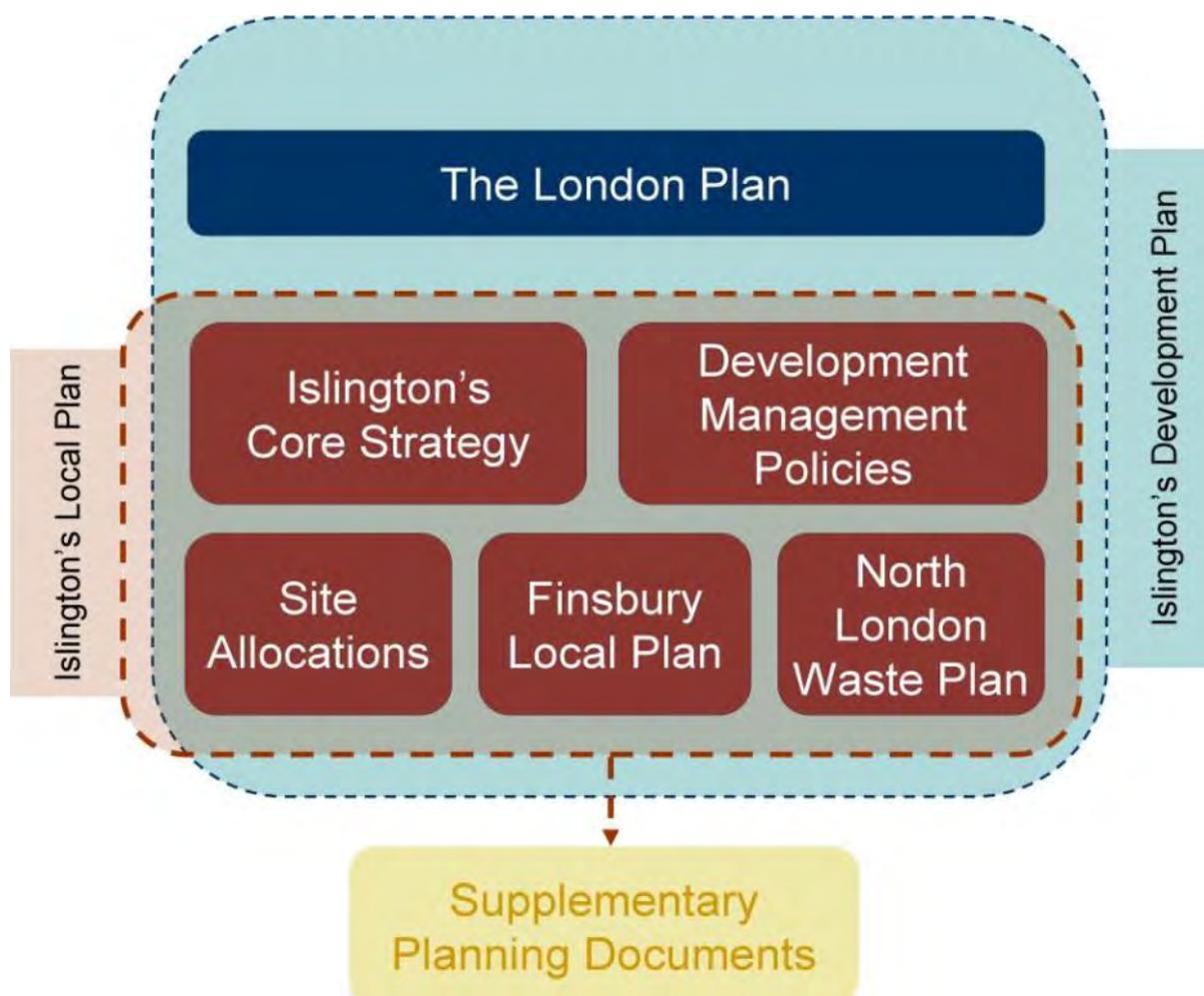
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1 Introduction

- 1.1. This Supplementary Planning Document (SPD) will be used in the determination of planning applications, to assess whether there will be an over-concentration of specific/similar uses; and/or whether a proposed use is near to a school or another sensitive location which could, by virtue of the characteristics of the proposed use, cause adverse impacts.
- 1.2. The SPD gives general advice with additional focus on three specific uses – hot food takeaways, betting shops and payday loan shops - which evidence suggests are more likely to cause adverse impacts where they are over-concentrated.
- 1.3. The SPD does not create new policy; it provides further guidance on an existing adopted Local Plan policy. It does not form part of Islington's Development Plan or Local Plan but it is a material consideration dependent on the circumstances of individual applications. Figure 1 visualises the relationship between Islington's Development Plan, Local Plan and SPDs:

Figure 1: Relationship between Supplementary Planning Documents and Islington's Development Plan and Local Plan



- 1.4.** The SPD is intended to provide clarity for planning officers and developers, as well as any other interested stakeholders. This ensures that the SPD is consistent with the National Planning Policy Framework (NPPF) paragraph 153 which states that SPDs should only be used where they help applicants to make successful applications and where they do not add unnecessarily to the financial burdens on development. Regulation 8 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) states that an SPD must contain a 'reasoned justification' of the policies contained in it. With regard to this SPD, the 'reasoned justification' is the supporting text which outlines the key issues, particularly sections 6, 7 and 8 related to specific uses; and Appendix 3 which details the evidence base.
- 1.5.** For ease of reference, table 1 summarises the main requirements set out in this SPD in relation to hot food takeaways, betting shops and payday loan shops¹:

¹ To assist with assessing location and concentration of other uses, general guidance is provided in section 5 of the SPD.

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Table 1: Summary of SPD requirements

	Is proposal in a restricted location and/or area of concern?	Consult other department /organisation ?	To be accompanied by Management and Operating Strategy?	To be accompanied by completed 'Planning for Health' self-assessment?	Conditions to be attached to any permitted applications ?
Hot food takeaways	Is HFT within 200m of a primary or secondary school?	Yes, particularly Environmental Health - Commercial, Public Health, Highways and Street Environment Services	✓	✓	Achieve Healthy Catering Commitment standard
	Areas of concern: - Seven Sisters Road - Blackstock Road - Holloway Road - Hornsey Road - Caledonian Road - Junction Road				
Betting shops	Area of concern: Nag's Head Town Centre	Yes, particularly Licensing and Public Health	✓	✓	Display information about debt advice services and gambling addiction charities; sign up to good practice/community safety schemes
Payday loan shops	Area of concern: Nag's Head Town Centre	Yes, particularly Public Health and Payday Lenders Working Group	✗	✓	Display information about debt advice services and local credit unions, and interest rates, fees and charges; and sign up to good practice schemes

2 Background

- 2.1.** In June 2013, Islington Council adopted the Development Management Policies (DMP) Development Plan Document (DPD). The DMP are an integral part of Islington's Local Plan and have a number of policies which aim to ensure that Islington maintains and promotes development in a sustainable manner. Policy DM4.3 of the DMP is a key part of achieving this aim:

Policy DM4.3

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A. Proposals for cafes, restaurants, drinking establishments, off licences, hot food takeaways, lap dancing clubs, nightclubs, casinos, betting shops, amusement centres and other similar uses will be resisted where they:

- i) Would result in negative cumulative impacts due to an unacceptable concentration of such uses in one area; or
- ii) Would cause unacceptable disturbance or detrimentally affect the amenity, character and function of an area.

B. Proposals for drinking establishments, off licences, hot food takeaways, lap dancing clubs, nightclubs, casinos, betting shops, amusement centres and other similar uses will be resisted where they are in proximity to schools or sensitive community facilities.

- 2.2.** The policy objectives are to protect and enhance the amenity of residents and businesses; and avoid development which could negatively impact the character and function of specific areas, particularly through over-concentration of a particular use (and relevant similar uses), or the location of a particular use near to sensitive facilities or infrastructure. Because of the borough's densely developed, mixed-use nature, uses which can affect amenity are often in close proximity to residential uses and other sensitive uses such as schools.
- 2.3.** The supporting text of policy DM4.3 highlights that over-concentration will be assessed by looking at the existing similar uses within a 500m radius of the site, and determining whether any additional impact from a proposal is likely to create a negative cumulative impact. Policy DM4.3 notes some examples of particular types of development which could be more likely to cause the impacts noted above, although it does not provide an exhaustive list.
- 2.4.** In May 2013, the Government amended the Town and Country Planning (General Permitted Development) Order ('the GPDO') to introduce new 'Flexible Use' Permitted Development (PD) rights. These PD rights allow shops, offices and other uses to change to a variety of other uses – including A3 uses - for a two year period without the need for

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planning permission. The council has put in place an Article 4 Direction² to remove the 'Flexible Use' PD rights for some uses to reduce their potential harmful impact.

- 2.5. Further PD rights were introduced in the consolidated GPDO which came into effect in April 2015. This included a new PD right to allow change of use from certain uses – including A1 and A2 - to A3 use (pending a prior approval process). As A3 uses often have a specific takeaway element, this new PD right could give rise to, or intensify, over-concentration impacts.
- 2.6. The Town and Country Planning (Use Classes) Order 1987 (as amended) ('the UCO') was amended in April 2015 to move betting shops and payday loan shops into the 'sui generis' use class. As noted in the initial consultation on the use class change, the Government made this change to support local communities and local planning authorities in shaping their local area, in response to repeated requests from local authorities and local communities that every betting shop and payday loan shop applications should require planning permission and be specifically considered by local authorities³. These changes to the UCO mean that certain potentially harmful uses will now have to apply for express planning permission, rather than benefiting from PD rights. The changes do not create a presumption of refusal; therefore, robust guidance and assessment criteria are needed to fully assess these applications.
- 2.7. **The main objective of this SPD is to provide guidance on how to identify those areas where certain uses create concern, assess applications with a view to preventing over-concentration and put in place measures to minimise the impact of those proposals which might be acceptable.** The SPD provides general guidance and key points, and further specific guidance in relation to three areas: hot-food takeaways⁴, betting shops and payday loan shops. There is evidence that the nature of these uses can lead to adverse impacts, especially cumulatively, hence the need for specific guidance.
- 2.8. It is not the intention to implement a 'blanket ban' to prevent the uses referred to in policy DM4.3 coming forward anywhere in the borough, but rather to restrict development of these uses in locations where there is demonstrable evidence of harm.
- 2.9. This document will provide guidance to individuals and/or businesses considering submission of a planning application in areas where over-concentration could arise, or in areas where particular development could cause harm to nearby sensitive facilities or infrastructure.
- 2.10. The SPD includes maps showing the current concentration and location of the three specifically identified uses noted above. This mapping exercise, and the survey work which underpins it, provides valuable insight and cross-references with other data sources, such as the Indices of Multiple Deprivation (IMD), in an attempt to better understand the linkages between concentration and any adverse impacts. The maps are

² Further information on the Article 4 Direction is available at: www.islington.gov.uk/permitteddevelopment

³ Department for Communities and Local Government, Technical Consultation on Planning, Proposal E: Increasing flexibilities for high street uses, July 2014, available from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/339528/Technical_consultation_on_planning.pdf

⁴ The council had previously intended to produce a separate hot food takeaways SPD but this has been subsumed into this SPD.

an important visual tool which will allow officers to more easily identify which areas are most at risk of adverse impacts, and ensure that applications in these areas are properly assessed.

- 2.11.** There are various council departments and other organisations that can provide important input and insight in relation to potentially harmful over-concentrated uses, e.g. Licensing, Public Health and Environmental Health. These departments are often consulted on planning applications. The SPD links to the work of particular relevant departments/organisations throughout.
- 2.12.** Although policy DM4.3 of the DMP provides the key policy ‘hook’ for this SPD, there are other relevant Local Plan policies which complement and interact with policy DM4.3 in the assessment of planning applications (dependent on the location of particular applications). This could include:
- DM4.4 – this policy covers Islington’s four Town Centres. Any applications in these centres must meet criteria in Part C of the policy, which, inter alia, requires development to be appropriate to the character and function of the centre; to contribute positively to the vitality and viability of the centre; and not cause detrimental disturbance from noise, odour, fumes or other environmental harm.
 - DM4.5 – this policy covers the various designated primary and secondary frontages within Islington’s four Town Centres. Any change of use from A1 in these locations must meet the various policy criteria, including the need to ensure that there will be no individual or cumulative harmful effects on the predominantly retail (i.e. A1) function and character of Town Centres, or their vitality and viability.
 - DM4.6 – this policy covers Islington’s 40 designated Local Shopping Areas. Proposals in these locations will only be permitted where they ensure the retention of an appropriate mix and balance of uses which maintains and enhances the retail and service function of the area. Proposals must also ensure that there are no adverse effects on vitality and viability of the area, either individually or cumulatively.
 - DM6.1 – poor health is widespread throughout Islington; this policy promotes healthy development through a variety of means, including a requirement for large developments and developments where potential health issues are identified to submit a Health Impact Assessment (HIA). Islington have previously conducted a HIA for applications for hot food takeaways, and such an approach could also be beneficial for applications for other potentially harmful uses, particularly betting shops and payday loan shops.

3 Consultation

- 3.1.** In early 2014, the council conducted preliminary consultation on a discussion paper and questionnaire to inform development of the SPD. A consultation statement has been produced summarising this exercise, and other consultation activities, as required by regulation 12(a) of the Town and Country Planning (Local Planning) (England) Regulations (as amended).
- 3.2.** The representations received have been analysed in detail and have informed the development of the SPD. The results of this analysis, including the council's response to each individual representation and commentary on how the main issues raised have been addressed in the SPD, are detailed in the Consultation Statement which accompanies the SPD.

4 Planning policy framework

National planning policy and guidance

- 4.1.** The **NPPF** is the top-tier planning policy consideration which the content of any SPD must accord with. Sustainable development is the 'golden thread' which runs through the NPPF; therefore planning decision takers must be mindful of the mutually dependent social, environmental and economic impacts associated with development.
- 4.2.** The NPPF sets out a series of core planning principles which should underpin planning decisions. Of particular relevance with regard to this SPD are core planning principles 2, 3, 4 and 12, as detailed below:
- Core planning principle 2: planning should not be solely about scrutiny, it should be about finding ways to enhance and improve the places where people live. This is an important principle which accords well with the rationale for this SPD, to prevent over-concentration of uses and location of specific uses in certain areas. This SPD is a proactive measure which sets out the criteria against which specific planning applications are assessed. Given that over-concentration and location of specific uses in certain areas can cause significant detrimental impacts to areas where people live, such an approach is considered appropriate.
 - Core planning principle 3: planning should proactively drive and support sustainable economic growth, taking into account - inter alia - the needs of residential and business communities. Sustainable is the operative word in this principle; economic development should contribute to the social, environmental and economic betterment of an area. These strands are mutually dependent, therefore economic benefits of an application – for example, an increase in the amount of jobs or local investment – should not automatically be assumed to outweigh any evident negative social or environmental aspects of a scheme.
 - Core planning principle 4: planning should seek a good standard of amenity for all existing and future occupants of land and buildings. Amenity considerations are integral to any assessment against policy DM4.3, which underpins this SPD. With regard to sustainable development, amenity considerations could include any issues which assist social, environmental and/or economic growth, or conversely, any issues which cause detrimental impacts.
 - Core planning principle 12: planning should take account of and support local strategies which look to improve health, social and cultural wellbeing for all. This principle places health and wellbeing at the centre of planning policy considerations. Local authorities therefore need to ensure that development which has the potential to adversely affect health and wellbeing is thoroughly assessed and that any adverse impacts are prevented or mitigated.
- 4.3.** Paragraph 19 of the NPPF makes a commitment to sustainable economic growth. This is taken to mean economic growth which contributes to the achievement of social and environmental goals, not just solely economic growth.

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- 4.4. The NPPF, in paragraph 23, directs local planning authorities to support the vitality and viability of Town Centres. Town centres should provide customer choice and a diverse retail offer, although the NPPF stipulates that this should not be achieved to the detriment of the individuality of these areas.
- 4.5. The NPPF promotes sustainable transport. Paragraph 37 states that planning policies should aim for a balance of land uses within areas, so that journey lengths to access employment, shopping and other activities are lessened. This requirement for a balance of land uses should be read in the context of the presumption in favour of sustainable development; land uses should be approved on the basis that they achieve mutual benefits across the three pillars of sustainability.
- 4.6. Certain development can be associated with an increased risk of adverse public realm or transport impacts, for example, an increase in car usage, refuse collection arrangements and street clutter, or proposals for on-street delivery and servicing. Paragraph 35 of the NPPF states that developments should be located and designed where practical to accommodate efficient delivery of goods and supplies and minimise conflict between traffic and cyclists/pedestrians, including avoiding street clutter.
- 4.7. Paragraph 69 details the importance that the NPPF places on facilitating social interaction and creating healthy, inclusive communities. Local authorities must adopt a positive approach to achieve this. Development which fosters social interaction and contributes to the healthy development of specific areas should be sought. Conversely, development which inhibits the ability of the local authority, local communities and other organisations to achieve these social principles – for example by affecting the character of an area or adversely impacting on existing social facilities - should be prevented.
- 4.8. With these underlying social principles established, and being mindful of the overarching presumption in favour of sustainable development, paragraph 70 of the NPPF requires planning policies and decisions to plan positively for the provision and use of community facilities and other local services to enhance the sustainability of communities. Unnecessary loss of valued facilities and services should be prevented; and established shops, facilities and services should be enabled to develop and modernise in a sustainable way. This is not a presumption against loss of all social and community facilities; however, it is a strong requirement for local authorities to act in a positive manner, and plan for an environment where such facilities can survive and thrive to ensure that the chances of such facilities being retained is maximised, with a requirement for proportionate evidence to justify any loss. To achieve this, development which could adversely impact social and community facilities - for example by affecting the vitality and viability of a centre and therefore affecting the ability of such facilities to continue operating – should be thoroughly assessed.
- 4.9. The **National Planning Practice Guidance** (NPPG) is an online resource which provides further guidance on the interpretation and implementation of NPPF policy.
- 4.10. Linked to the NPPF policies discussed above, there are two sections of the guidance which are of particular relevance to this SPD:

- Health and wellbeing⁵ – paragraph 002 identifies a range of health-related issues which can be considered in the plan-making and decision-taking processes. Of particular importance is the need for development proposals to support strong, vibrant and healthy communities and create places which support community engagement and the development of social capital. The NPPG also advocates policies to reduce health inequalities and the promotion of opportunities for healthy lifestyles, including promoting access to healthier food⁶. Paragraph 005 of the NPPG defines a healthy community as a community which supports healthy behaviours and supports reductions in health inequalities, both physical and mental health. A healthy community should encourage active healthy lifestyles through, inter alia, good access to local services; and the creation of healthy living environments for people of all ages.
- Ensuring the vitality of town centres⁷ – paragraph 001 directs local authorities to plan positively for town centres, which includes the creation of attractive, diverse places where people want to live, visit and work. Paragraph 002 expands on this, stating that the key to ensuring successful town centres is to balance economic growth with a wide range of social and environmental benefits, i.e. the sustainable development of town centres. Adopted Local Plan policies are the starting point for assessment of applications in town centres. Paragraph 003 outlines what a town centre strategy/local plan policy should address. Although this SPD is not creating new policy, it will help to implement existing policy; therefore, the NPPG is a relevant. Of particular relevance in paragraph 003 is the requirement for town centre policy to consider the appropriate mix of uses to enhance the vitality and viability of centres (and, implicitly, those uses which can detrimentally impact vitality and viability).

London planning policy and guidance

4.11. The **London Plan** (March 2015, consolidated with alterations since 2011) is the spatial development strategy for London and forms part of Islington's Development Plan. This document has a number of relevant policies which have informed this SPD and which could also be relevant in the determination of planning applications.

- Policy 2.14 and map 2.5 identify Areas for Regeneration, i.e. Lower Super Output Areas within the 20% most deprived category based on the IMD 2010; this covers a large part of Islington. This policy is largely strategic but it does direct boroughs to put in place policies and strategies to tackle deprivation and address health and social inequalities.
- Policy 2.15 identifies London's town centre network. Town centres need to provide a competitive choice of goods and services whilst maintaining a sense of place and local identity. Development in town centres should, inter alia, sustain and enhance the vitality and viability of the centre, and support and enhance competitiveness, quality

⁵ Available from: <http://planningguidance.communities.gov.uk/blog/guidance/health-and-wellbeing/what-is-the-role-of-health-and-wellbeing-in-planning/>

⁶ In relation to promoting access to healthier food, the NPPG links to the Healthy People, Healthy Places briefing document 'Obesity and the environment: regulating the growth of fast food outlets', published by Public Health England in conjunction with the Local Government Association and the Chartered Institute of Environmental Health. This document is discussed in more detail in Appendix 3 of the SPD.

⁷ Available from: <http://planningguidance.communities.gov.uk/blog/guidance/ensuring-the-vitality-of-town-centres/ensuring-the-vitality-of-town-centres-guidance/>

and diversity of town centre uses. This policy, and policy 4.7, both include a requirement for diversity of town centre uses. Part c2 of policy 2.15 also has a requirement to actively plan and manage the consolidation and redevelopment of medium sized centres and, where appropriate, secondary frontages in other larger centres, in order to secure a sustainable, viable retail offer and a range of non-retail functions to address identified local needs, e.g. leisure uses. Part c3 of policy 2.15 identifies the role of neighbourhood and more local centres as providers of convenient local goods and services, which enhance the overall attractiveness of local neighbourhoods and serve as a focus for local communities. Where surplus commercial capacity is identified, housing and development which meets local community needs should be prioritised, although this should contribute to the strengthening of the retail offer of the centre as a whole, principally the convenience retail offer. Paragraph 2.72A offers an important caveat to the requirement for diversity of uses and range of non-retail functions; where clusters of certain uses are shown to have negative impact on town centre vitality and viability, such uses should not be justified solely on the basis of a need for diversity.

- Policy 3.2 requires new developments to be designed, constructed and managed in ways that improve health and promote healthy lifestyles to help to reduce health inequalities. The supporting text explicitly mentions that such measures can be complemented by other measures, such as local policies to address concerns over the development of fast food outlets close to schools.
- Policy 3.2 also highlights the use of HIAs to assess development which is anticipated to have significant implications for peoples' health and wellbeing. An HIA should identify opportunities for minimising harms (including unequal impacts) and maximising potential health gains.
- Policy 3.17 complements policy 3.2 in terms of its objective to improve health and tackle health inequalities. Development proposals should take account of the Mayor's best practice guidance on Health Issues in Planning, which provides additional guidance to assist local authorities and other health bodies in tackling health inequalities and promoting healthy development (see Appendix 3 for more details).
- Policy 4.1 is a strategic policy which aims to enable a strong, sustainable and diverse economy across all parts of London. A key element of this strategic aim is to ensure that economic growth helps to tackle deprivation.
- Policy 4.7 requires retail policy for town centres to be built on a strong, partnership approach, one which includes frequent monitoring through town centre health checks to inform the on-going implementation of local planning policy and planning decisions.
- Policy 4.8 follows on from policy 4.7 and supports the development a sustainable pattern of retail provision and lifetime neighbourhoods (linked to policy 7.1). The onus is clearly on comparison and convenience shopping, i.e. within the A1 use class. Read alongside policy 4.7, this suggests that where applications threaten the overtly shopping function, and, ergo, vitality and viability, of town centres and more local centres, they should be refused, unless evidence from continual monitoring of the situation on the ground suggests otherwise, e.g. evidence of a shift towards different uses. The policy includes specific focus on managing clusters of uses, having regard to

their positive and negative impacts on the following range of London Plan objectives, policies and priorities:

- broader vitality and viability (Policy 2.15Ca)
- broader competitiveness, quality or diversity of offer (Policy 2.15Cc)
- sense of place or local identity (Policy 2.15Ac)
- community safety or security (Policy 2.15Cf)
- success and diversity of its broader retail sector (Policy 4.8A)
- potential for applying a strategic approach to transport and land use planning by increasing the scope for "linked trips" (Policy 6.1).

- These areas broadly correlate with Islington's own policies⁸ to prevent over-concentration and protect amenity. Paragraph 4.50A notes that betting shops and hot food takeaways are two specific areas which can give rise to concerns regarding negative clustering impacts. These broad clustering impacts are reflected in the assessment criteria detailed in this SPD.
- Policy 4.9 recognises the intrinsic value which small shops provide to an area, and their role in maintaining a strong and diverse retail offer and the attractiveness of an area. Therefore, loss of such units, or development which undermines their retention, is inconsistent with the London Plan.
- Policy 7.1 states that development should enable people to live healthy, active lives; maximise community diversity, inclusion and cohesion; and contribute to people's sense of place, safety and security. As well as a strong health focus, this policy has strong qualitative and quantitative elements which link to strands of retail policy covering attractiveness, vibrancy, vitality and viability of retail areas.
- Policy 7.4 requires development to have regard to local character. Development should respect local character and the function of an area, including reflection of the physical, economic, environmental and social forces that have shaped an area over time and are likely to influence it in the future.

4.12. There is a variety of **Supplementary Planning Guidance (SPG)** which supports the London Plan and offers further insight into the interpretation and application of London Plan policy. The following SPGs are of particular relevance to this SPD:

- **Town Centres SPG (July 2014):** this SPG provides additional guidance on the various London Plan policies, including policies 4.7 and 4.8 which have implications for this SPD. The SPG offers useful insight into the clustering of uses and provides specific commentary on hot-food takeaways, betting shops and payday loan shops:
 - paragraphs 1.2.33 and 1.2.34 reflect concern at the clustering of hot food takeaway outlets, particularly where these concentrations have a significant negative impact on town centre vitality and viability, diversity, noise, odour, litter and community safety; and on people's health such as risk of cardiovascular disease, obesity and type two diabetes.

⁸ The London Plan uses the term 'clustering' to describe a number of units in a particular use in a specific area; this can have either positive or negative impacts. With regard to negative clustering, the term 'over-concentration' referred to throughout this SPD is taken to mean the same as 'negative clustering'.

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- paragraph 1.2.29 conveys an urgent need to enable local planning authorities to control the proliferation of betting shops and to address the implications this can have for maintaining the vitality and viability of town centres, and for protecting their amenity and safety.
- paragraph 1.2.37 notes concern about the link between the growth in the number of payday loan shops and the level of deprivation in some areas. The SPG specifically highlights potential over-concentration of payday loan uses and potential impacts on the amenity, character, diversity and/or function of an area.
- **Shaping Neighbourhoods: Character and Context SPG (June 2014):** this SPG links to London Plan policy 7.4 and provides specific guidance on the attributes of character and context in London. Guidance on assessing character in particular has connotations for this SPD, as one of the primary aims of policy DM4.3 is to prevent detrimental impacts on character due to over-concentration. The SPG defines character as *“physical or built elements that make up the place, the cultural, social and economic factors which have combined to create identity, and the people associated with it through memories, association and activity.”* This includes consideration of land use and other factors such as health deprivation.
- **Social Infrastructure SPG (May 2015):** this SPG includes guidance on HIAs, which can be considered for any proposal where it is anticipated that there will be implications for people’s health and wellbeing.

4.13. In addition to these SPG documents, there are various additional guidance documents which are relevant to this SPD. These are summarised in Appendix 3.

5 What is an unacceptable impact or location?

Individual and cumulative impacts

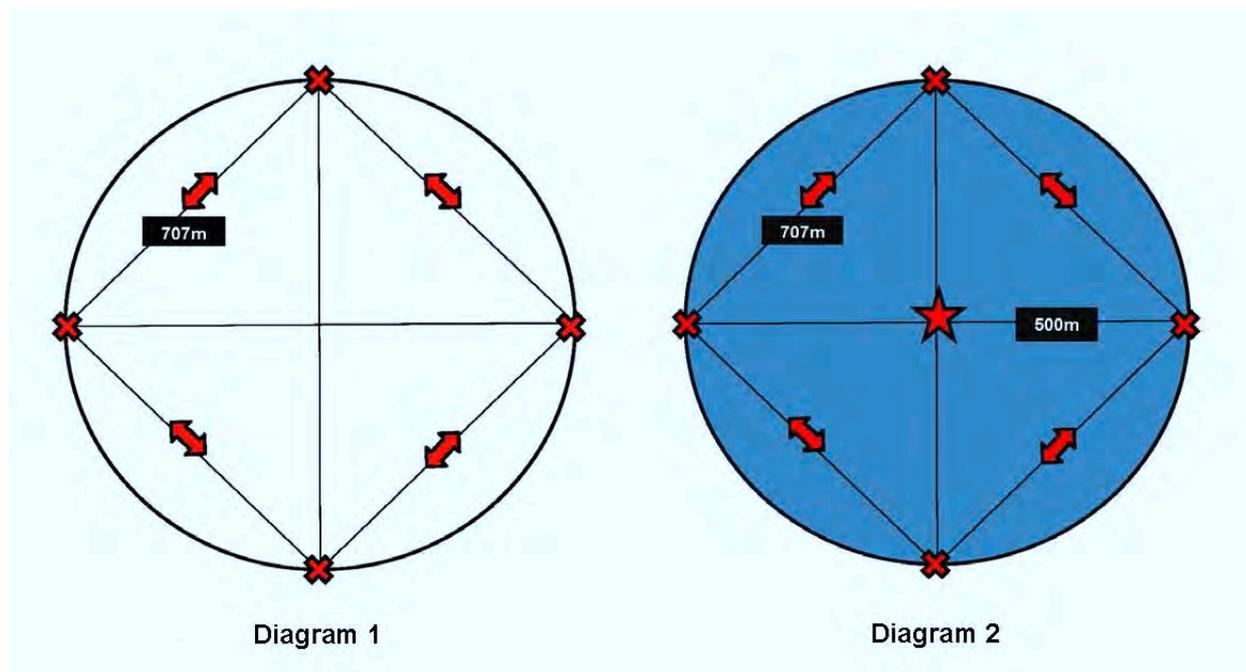
- 5.1. It is important to acknowledge at the outset that there is not one single definition or threshold which can be applied to assess whether a particular application will result in an unacceptable concentration or specific individual impact; this differs depending on the location, characteristics and/or proposed operations of an application. The individual circumstances of an application, particularly the specific use and the area that the application is in, means that this assessment must be made on a case-by-case basis.
- 5.2. DMP policy DM4.3 and its supporting text explicitly refer to impacts on the **amenity, character and function** of an area, and the **health and wellbeing** of the borough's residents. It is also important to consider the impact on **vitality and viability** of retail designations. Definitions of these terms are set out in Appendix 4.
- 5.3. The policy is largely concerned with identifying negative impacts; however, it is acknowledged that there may be positive impacts associated with certain uses. For example, there have been planning appeal decisions which conclude that uses such as betting shops and hot food takeaways may not undermine vitality and viability in some circumstances, such as where they would result in a long term vacant unit being brought back into use. Any positive aspects of a proposal may be given weight in planning determinations, where appropriately evidenced.
- 5.4. In sections 6, 7 and 8 below, the current concentrations of hot food takeaways, betting shops and payday loan shops have been mapped, which is a helpful visual aid to assess over-concentration and has also directly informed the guidance in this SPD.
- 5.5. For other uses, including those listed in policy DM4.3, some example scenarios have been developed (see Appendix 2) to help identify potential over-concentration and/or adverse individual impacts when making or determining a planning application. These scenarios do not prejudge decision making and are intended to act as a guide to identify certain scenarios where over-concentration may be more likely to occur. **In circumstances where an application fits with a medium/high risk scenario, case officers should afford extra scrutiny to these applications due to the heightened potential for adverse impacts.** The list of scenarios is not exhaustive and actual over-concentration will be assessed on a case-by-case basis.
- 5.6. Over-concentration impacts are not limited to individual uses; other uses (including those within different use classes) can have similar adverse impacts, or can exacerbate adverse impacts due to close proximity of these different land uses. **Consideration of over-concentration impacts should therefore not just look at the specific use in question in isolation; cumulative impacts should be considered across all relevant uses.** The similar potential adverse impacts of betting shops and payday loan shops are referenced in sections 7 and 8 below, but there are numerous examples of different uses which could potentially have similar adverse impacts, e.g. amusement arcades, casinos and betting shops (due to potential impact of gambling on vulnerable people); night-time economy uses and hot food takeaways (due to potential increase in anti-social behaviour). A 2016

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appeal decision in Islington⁹ concluded that the combined number of pubs, cafes, betting shops and takeaways in a designated retail area detracted from the retail character of the area; and that a further hot food takeaway in the area would further consolidate such uses and further detract from the retail character.

- 5.7.** Policy DM4.3 identifies a general 500m impact radius, within which any cumulative impact should be assessed¹⁰. The radius should be applied pragmatically on a case-by-case basis. There may be a specific use within a 550m radius of an application site which would clearly lead to a combined cumulative impact; therefore it would be inappropriate to discount such an impact solely because it falls outside the identified 500m radius. Likewise, the physical geography of an area (e.g. a major road which acts as a barrier) may mean that an arbitrary 500m radius is too extensive when factoring in actual walking times.
- 5.8.** The 500m radius is established as a sensible straight-line distance to measure cumulative impacts related to the position of a specific proposal, i.e. will the new unit be the tipping point for over-concentration or exacerbate an existing over-concentration. Figure 2 visualises this; Diagram 1 represents a hypothetical existing situation where there are four existing uses (represented by crosses) in an approximate area; these uses are more than 500m straight-line distance from each other. Diagram 2 shows an additional hypothetical situation where a new use (represented by the star) is proposed in the middle of these four existing uses. As shown in the diagram, this now means that there are five uses within 500m, taking the proposed use as a starting point to measure concentration.

Figure 2: 500m radius diagram, with and without new application site



⁹ See Appeal Ref: APP/V5570/W/15/3134904 344 Caledonian Road, London N1 1DU, decision dated 23 February 2016.

¹⁰ When applying the impact radius, it may be pertinent to use a smaller radius to highlight more acute impacts in certain circumstances, e.g. if there are 5 specific uses within a 500m radius of the site, but all (or the vast majority) of these uses are within a smaller 250m radius, then the latter, smaller radius would be specifically highlighted.

- 5.9.** It is important to note that the cumulative impact assessment area (shaded blue on Diagram 2) differs to a catchment (i.e. the area from which the majority of custom for specific uses is drawn from); there may be several catchments or parts of specifically functioning areas within an individually measured assessment area. Identifying catchment areas is in itself useful when attempting to determine impacts on character, amenity and function. Catchment identification encompasses consideration of, inter alia, local demographics, public transport accessibility, and quality of public realm.
- 5.10.** In order to assess these cumulative impacts at application stage, it is important that relevant stakeholders are engaged at the earliest possible opportunity. Sections 6, 7 and 8 identify relevant specific stakeholders associated with the respective topics, but there are several stakeholders who should be consulted by the case officer where certain potential impacts are evident¹¹:
- The council's **Public Health** team should be consulted on any application where potential health issues are identified. Examples of potential health issues include uses which could cause adverse impact on the mental well-being of specific individuals/groups; applications which affect provision of fresh food and/or which increase provision of unhealthy food; and applications which affect public realm and/or open space and therefore affect promotion of physical activity, walking and cycling. DMP policy DM6.1 requires developments where potential health issues are identified to submit a HIA in line with guidance established by the council¹². Any HIA (full assessment or screening) should be assessed by Public Health. Some applications may necessitate a council-led HIA prepared by Public Health; such an approach has been undertaken recently for hot food takeaway applications, but could be extended to any application posing a particular concern regarding health impacts, as per policy. The Islington 'Planning for Health' self-assessment form – provided at Appendix 1 - should be completed and submitted for relevant applications.
 - The council's **Licensing** team should be consulted on any planning application which proposes a licensable activity¹³. The council's current licensing policy expects applicants to ensure that they have planning consent for the intended use and hours of operation, or otherwise have lawful planning status, before making an application for a premises licence. The Licensing Authority will only grant licences for premises without planning consent in exceptional circumstances. Section 7 of the SPD provides further detail on the interaction between planning and licensing in relation to betting shops. The recommendation to consult licensing is not an attempt to duplicate the licensing regime; licensing concerns can legitimately be taken into account as a material consideration, unlike the licensing regime which can only have regard to licensing-specific issues and, in the case of licensing activities under the Gambling Act 2005, is limited by the 'aim to permit'. It should be noted that any existing licence or refusal of licensing application has no automatic bearing on the determination of a planning application, although reasons for refusal may have planning weight, e.g. anti-social behaviour, disturbance due to proposed opening hours.

¹¹ Applicants are encouraged to engage directly with relevant stakeholders where possible.

¹² Islington Council, Health Impact Assessments (HIA) for major applications: guidance and screening, available from: <http://www.islington.gov.uk/services/planning/applications/apply/Pages/supporting-documentation.aspx>

¹³ Any activities covered by the Licensing Act 2003, or the Gambling Act 2005.

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- **Transport for London** (TfL) and the council's **Highways** team should be consulted on any applications which propose, or are likely to lead to, an incursion into the public highway/footway, particularly applications for A3, A4 and A5 uses. Such uses can lead to specific adverse impacts, for example, hot food takeaways can have associated delivery vehicles that can obstruct the highway; A3/A4 food and drink establishments often have tables and chairs on the footway, which anecdotal evidence suggests are not always licensed as required; and evening entertainment related uses often have a high demand for taxi/private hire, which may require management to prevent obstruction of the highway.
- The council's **Environmental Health - Commercial** team should be consulted on any applications for A3, A4 or A5 uses; in addition, A1 uses which involve the sale of food and/or drink (e.g. sandwich shops, coffee shops) should also be sent to Environmental Health for comment. Environmental Health may be able to provide some best practice/comments which would ensure operation of safe and conscientious businesses. Where such best practice/comments are provided, these could form the basis of planning conditions (and informative notes) where a decision to approve an application is made.
- The council's **Environmental Health – Environmental Protection** team could provide advice on applications for certain uses which are likely to cause increased noise, including A4 uses (particularly those pubs which propose to play amplified music) and some D2 and SG uses (e.g. music venues, nightclubs). Environmental Health may be able to provide some best practice/comments which would ensure operation of safe and conscientious businesses. Where such best practice/comments are provided, these could form the basis of planning conditions (and informative notes) where a decision to approve an application is made.
- **Islington's Town Centre Development Officers** should be consulted, respectively, for any applications within the borough's four Town Centres. The Town Centre Development Officers work with businesses and so are in a unique position to help identify where potential adverse individual and cumulative impacts may arise, particularly impacts related to character, amenity and function of Town Centres.

5.11. In addition to the above stakeholders, neighbouring boroughs – **Hackney, Haringey, Camden and the City of London** – should be consulted where applications for certain uses are in close proximity to the respective borough boundary. Any assessment of location and concentration of a proposed use in Islington should also include consideration of the uses in adjacent boroughs, where these uses fall within relevant boundaries set in policy DM4.3, e.g. the school proximity boundary; and/or the 500m impact radius (within which potential over-concentration is assessed). There are particular concerns related to night-time economy uses in Hackney, particularly the South Shoreditch and Dalston Special Policy Areas which immediately abut the Islington-Hackney borough boundary. Hackney and Haringey should be consulted on applications in Finsbury Park Town Centre, given that the Town Centre is a tri-borough centre which spans Islington, Hackney and Haringey¹⁴.

¹⁴ Islington, Hackney and Haringey have produced a joint SPD which sets out a single vision for the regeneration of Finsbury Park Town Centre. Further information can be found at: www.islington.gov.uk/finsburypark.

- 5.12.** There are various forums/groupings at local and London-wide level which can provide insight into a number of common issues discussed in this SPD. For example the London Healthier High Streets working group brings together representatives from local authority licensing and planning departments, the Greater London Authority (GLA), Public Health England and other bodies/advocacy groups. Although such groups are unlikely to be directly consulted on planning applications, the council may draw on information from such groups during the determination of planning applications.
- 5.13.** At a local level, the Safer Islington Partnership brings together a number of partner organisations with the aim of reducing crime and disorder in the borough. Alcohol-related crime is a major concern of the Partnership.
- 5.14.** Comments may be specifically sought from other organisations, including charities, community groups and support services, especially where these organisations provide specialist services in relation to particular areas, e.g. gambling addiction, debt.
- 5.15.** Advice may also be sought for organisations providing specialist advice related to design, security, etc.

Sensitive uses

- 5.16.** Policy DM4.3 Part B resists proposals for certain uses which are likely to cause harm where they are in close proximity to schools or sensitive community facilities. Specific guidance on hot food takeaways near schools is provided in section 6 of the SPD; this section provides more general guidance on potential sensitive community uses and which proposals are likely to cause adverse impacts on such uses.
- 5.17.** There is no one-size-fits-all way to ascertain what a sensitive community use is; this is dependent on a number of factors, including the specific impacts of a proposed use; and the distance between a perceived sensitive use and a proposed use which may have adverse impacts.
- 5.18.** Sensitivity will generally be measured by likely impacts based on site specific information, although in some cases it may be apparent that there are in-principle issues which will certainly cause adverse impacts. DMP policy DM2.1 Part A(x) notes a range of potential impacts which could arise (which sensitive community facilities may be more susceptible to), including noise, disturbance, hours of operation and privacy. DMP policy DM2.1 Part A(xi) requires development proposals to not unduly prejudice the satisfactory development or operation of adjoining land and/or the development of the surrounding area as a whole. This policy applies when considering impact on sensitive community uses, i.e. the ability of the existing community facility to operate effectively following introduction of a proposed, potentially harmful use.
- 5.19.** Where appropriate, other guidance and research may also be used to identify sensitive uses and the impact of specific proposals which could cause adverse impacts on these uses.
- 5.20.** There are a number of community facilities which are likely to be sensitive to specific adverse impacts; these include:

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- Schools;
- Community centres;
- Centres which provide support for vulnerable persons, e.g. homeless shelters, alcohol recovery/rehab centres;
- Religious centres and places of worship; and
- Centres providing support for people with learning disabilities and/or mental health issues.

5.21. Generally, a community facility will fall within the D1 use class, although there is scope for uses within other use classes to be considered a community facility, including certain C2, D2 and Sui Generis uses; and even an A1 unit providing an essential service to a local community.

5.22. In terms of specific impacts, it is neither possible nor desirable to identify a full list of these related to every type of potential sensitive community facility. Generally, the adverse impacts which affect sensitive community facilities will be those noted in DMP policy DM2.1 Part A(x and xi). Other impacts - e.g. on amenity, character, function, vitality and viability of retail, vibrancy of an area – may also be assessed, although there could be a degree of crossover with any assessment made under policy DM4.3 Part A. The council's licensing policy and gambling policy can also be used as a reference point to assist with any assessment¹⁵.

5.23. The policy supporting text (paragraph 4.23) specifies that applications for hot food takeaways within 200m of a primary or secondary school should be resisted. The 200m radius is specific to hot food takeaways, taking into account specific evidence; it should not be arbitrarily applied to other applications. Instead, proximity should be judged on a case-by-case basis taking into account the characteristics of an area and the potential impacts of the proposed use; this could include consideration of impacts from uses outside a 200m radius from the sensitive community facility.

5.24. It should not be automatically presumed that just because a proposed use may have an impact on a sensitive community facility, the default position is to refuse permission for such a use. Consideration will be given to overarching factors, where appropriate, which can highlight circumstances where it may be permissible to allow certain uses near to sensitive community facilities, to achieve wider policy objectives. For example, if a sensitive community facility is permitted in an industrial area, and subsequently an application is made for a new industrial premises which could increase adverse impacts, there is then a need for balance to determine which use takes precedence.

¹⁵ As noted in paragraph 5.10, bullet point 2, applicants should seek planning permission prior to licensing permission(s)

6 Hot food takeaways

Background

- 6.1. Health is one of the most significant macro-societal issues facing the UK. Addressing specific health impacts through planning is a concept which is still in its infancy, although planning has had an implicit health angle since the planning system was developed – for example, the Abercrombie Plan put great store in the improvement of the health of the wider London population.
- 6.2. Health in planning in the 21st Century involves identifying these specific potential or existing health impacts, and then mitigating these impacts or even preventing the impacts from arising at all.
- 6.3. Obesity has emerged as a key health challenge in recent years, with health experts predicting an obesity epidemic resulting in half of the UK population being classed as obese by 2050¹⁶. Obesity occurs when the amount of energy consumed, through food and drink, is greater than the amount of energy used by the body over a long period of time resulting in the storage of extra weight. A wide range of societal, environmental and behavioural factors such as cooking skills, the availability of food (both the amount and the type), and access to sport and leisure facilities all contribute to the risk of obesity.
- 6.4. Figures released in February 2014¹⁷ showed that between 1993 and 2012, the proportion of obese adult men rose from 13.2% to 24.4% while the proportion of obese adult women rose from 16.4% to 25.1% over the same period. Figures for childhood obesity are also a cause for concern; the proportion of obese Reception class children stood at 9.3% in 2012/13, while the proportion of obese Year 6 class children stood at 18.9%. These figures effectively highlight that a quarter of the population of England is obese.
- 6.5. Information from the Islington Evidence Hub¹⁸ shows that, in 2012, there were 69,000 adult residents in Islington who were overweight or obese, including 3,100 adults who were morbidly obese. Being overweight/obese is known to increase the risk of long term conditions such as cardiovascular diseases, cancer and diabetes; 29% of overweight adults have least one long-term health condition, while 47% of obese adults have least one long-term health condition. There is a strong association between obesity and premature death.
- 6.6. Further information from the Islington Evidence Hub¹⁹ shows that factors such as parents' weight; where children live; family income; and ethnicity can increase the risk of childhood obesity. Children and young people who are obese are more likely to suffer from poor self-

¹⁶BBC News, Obesity crisis: Future projections 'underestimated', 13 January 2014, available from: <http://www.bbc.co.uk/news/health-25708278>

¹⁷ Health & Social Care Information Centre, Statistics on Obesity, Physical Activity and Diet: England 2014, available from: <http://www.hscic.gov.uk/catalogue/PUB13648/Obes-phys-acti-diet-eng-2014-rep.pdf>

¹⁸ Islington Evidence Hub, Focus on... adult overweight and obesity, September 2014, available from: [http://www.islington.gov.uk/publicrecords/library/Public-health/Information/Factsheets/2014-2015/\(2014-09-29\)-Adult-Obesity-Factsheet-September-2014.pdf](http://www.islington.gov.uk/publicrecords/library/Public-health/Information/Factsheets/2014-2015/(2014-09-29)-Adult-Obesity-Factsheet-September-2014.pdf)

¹⁹ Islington Evidence Hub, Focus on... childhood obesity, September 2014, available from: [http://www.islington.gov.uk/publicrecords/library/Public-health/Information/Factsheets/2014-2015/\(2014-10-21\)-Childhood-Obesity-Factsheet-September-2014-\(1\).pdf](http://www.islington.gov.uk/publicrecords/library/Public-health/Information/Factsheets/2014-2015/(2014-10-21)-Childhood-Obesity-Factsheet-September-2014-(1).pdf)

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esteem and are less likely to socialise and do well at school. Health conditions such as high blood pressure, diabetes, poor lung function, bone problems and early puberty are also more common among obese children and young people.

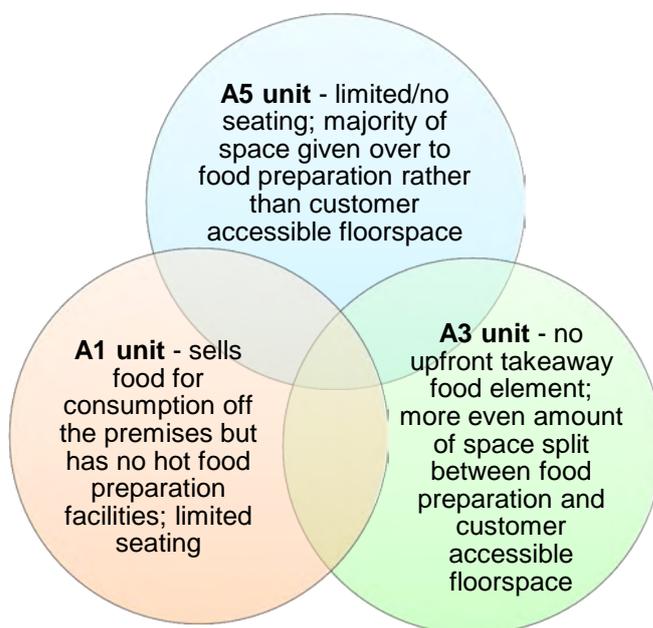
- 6.7.** In Islington, 432 children (22%) in reception and 632 (39%) children in year 6 were overweight or obese in 2014/15²⁰. Children who are overweight are twice as likely to become overweight adults.
- 6.8.** In pure economic terms, the cost of obesity is hard to quantify, although the Government estimates that health problems associated with being overweight or obese cost the NHS more than £5 billion every year²¹; indirect costs, such as lost productivity, add to this. This has myriad consequences for UK policy makers.
- 6.9.** The cost of treating overweight/obesity in Islington was estimated at £68.8m in 2007, increasing to an estimated £73.6m in 2015²².
- 6.10.** Various publications by the Government and health bodies have set out a holistic, multi-disciplinary approach to tackling obesity; planning is a common tool identified within this literature as a means to tackling obesity, or at least certain aspects which contribute to worsening obesity. A selection of particularly relevant evidence is identified in Appendix 3.
- 6.11.** Planning can help to tackle the obesity epidemic both directly and indirectly. Enabling the development of space for physical activity and ensuring that shops and other services can be accessed by sustainable modes of travel rather than solely by private vehicle are two indirect measures to tackle obesity. Direct measures include specific intervention to limit specified adverse health impacts from occurring.
- 6.12.** Hot food takeaways are an oft-cited example of a direct planning intervention aimed at improving health and wellbeing. A hot food takeaway is defined as an establishment within the A5 planning use class in the UCO. The primary function of a hot food takeaway is the sale of hot food for consumption off the premises; examples of A5 hot food takeaways are kebab shops, pizza shops and fried chicken shops. Debate has raged since the introduction of the A5 use class about how A5 is categorised, as there can often be significant crossover between A1, A3 and A5 uses. Figure 3 visualises the relationship between A1, A3 and A5 uses, specifying the unique elements of each.

²⁰ Health and Social Care Information Centre, National Child Measurement Programme 2014/15, available from: <http://www.hscic.gov.uk/searchcatalogue?productid=19405&q=title%3a%22national+child+measurement+programme%22&sort=Relevance&size=10&page=1#top>

²¹ Department of Health, Policy paper: 2010 to 2015 government policy: obesity and healthy eating, published 7 May 2015, available from: <https://www.gov.uk/government/publications/2010-to-2015-government-policy-obesity-and-healthy-eating/2010-to-2015-government-policy-obesity-and-healthy-eating>

²² Islington Evidence Hub 2014, op cit, see footnote 18

Figure 3: specific elements of A1, A3 and A5 uses relating to hot food for consumption off the premises.



- 6.13.** Government guidance²³ produced when the A5 use class was introduced classifies A5 uses as follows:

“Takeaways are differentiated from restaurants because they raise different environmental issues, such as litter, longer opening hours, and extra traffic and pedestrian activity, from those generally raised by A3: Restaurant and Café uses. With A3 uses, any takeaway food sold on an ancillary basis is usually taken home for consumption... It is recognised that many hot food takeaways exist on premises which are of considerable size in square footage terms - considerably larger, in some cases, than other restaurants within the locality which are classified as A3. The existence of tables and chairs within a hot food outlet does not, in itself, make the premises a restaurant where the takeaway element is predominant.”

²³ Office of the Deputy Prime Minister, Circular 03/2005, 21 March 2005

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6.14. This section of the SPD is concerned primarily with A5 units²⁵. However, the council recognises that non-A5 units can have a significant takeaway element (see inset). It would be short-sighted to omit consideration of these in this SPD, given that non-A5 uses which have a takeaway element can cumulatively, alongside A5 uses, affect the overarching function of an area. Non-A5 uses with a takeaway element can therefore be taken into account when assessing over-concentration.

Example: Pret A Manger

Pret A Manger is a sandwich shop chain with over 240 shops across the UK, all of which operate under the A1 use class²⁴. These stores have a distinct takeaway element but are able to operate in A1 premises as primary cooking is not conducted on site (hence A5 permission is not required); and there is usually limited seating within the premises (hence A3 permission is not required).

6.15. As mentioned in paragraph 2.5, the Government have introduced a new PD right to allow certain uses – including A1 and A2 uses - to change to A3 use. Although this PD right requires prior approval of various issues such as noise, odour and loss of retail uses, it could mean a significant increase in A3 uses. Given that A3 uses can have a distinct takeaway element, this could exacerbate issues discussed in paragraph 6.14.

6.16. By tackling A5 uses, part of the focus is on the access to unhealthy food. There is no specific definition of unhealthy food for planning purposes, but it is generally considered to be food which is energy-dense²⁶ and high in fat, salt and/or sugar, like much fast food sold in hot food takeaways. Fast food is often consumed with sweetened soft drinks – e.g. as part of a meal deal – which adds an additional unhealthy element to meals. A1 and A3 units can also sell takeaway food which would fit this definition but generally it is A5 uses which have become associated with unhealthy takeaway food.

6.17. Planning can control the location of hot food takeaways but it cannot control the food sold, for example, planning permission cannot be granted subject to a condition stating that an A5 unit could not serve fried chicken. It is important to remember that the planning assessment relates to the general A5 use, not the type of takeaway restaurant or food sold.

6.18. There are initiatives which look to address the healthiness of takeaway food offer, including the Healthy Catering Commitment (HCC).

6.19. The HCC²⁷ is an initiative originally developed by the Chartered Institute of Environmental Health in conjunction with the Association of London Environmental Health Managers, the GLA and other parties including numerous London Boroughs. The HCC is a voluntary scheme, primarily targeted at London-based fast food establishments; businesses which meet the relevant



Figure 4 – Healthy Catering Commitment logo, displayed in premises which achieve the standard

²⁴ Information available from: http://www.pret.com/about/our_shops.htm

²⁵ Dual use units where a significant element of floorspace is used for A5 will be considered A5 for the purposes of the SPD.

²⁶ Energy density is the amount of energy (or calories) per gram of food

²⁷ Information available from: <http://www.cieh.org/healthier-catering-commitment.html>

HCC assessment criteria²⁸ are able to display the HCC logo to show they have achieved the HCC standard. The assessment criteria include promotion of healthier alternatives; reduction in salt both during cooking and at point of sale; and use of polyunsaturated or monounsaturated fats to prepare and cook food. Operators must also meet a minimum level of food hygiene²⁹ in order to participate in the scheme.

- 6.20.** In Islington, over 200 businesses have achieved HCC standard, which has initially been delivered as part of Hearty Lives Islington³⁰, a three year project funded by the British Heart Foundation to help reduce levels of cardiovascular disease in the borough. From April 2015, the scheme has been delivered as part of the normal Islington Environmental Health – Commercial service.
- 6.21.** The council's Environmental Health - Commercial team have already engaged with all takeaways within 500 metres of all Islington secondary schools; around 70 of these premises have achieved the HCC standard. A live map of premises which have achieved the HCC standard is being developed and will be available on the council's website.

Hot Food Takeaways in Islington

- 6.22.** The council has undertaken an extensive survey of hot food takeaways (use class A5) and non-A5 uses (i.e. A1 and A3) with a takeaway element³¹ within the borough. This has been informed by a number of information sources including Environmental Health, surveys of Town Centres and Local Shopping Areas, planning permissions and web-based research.
- 6.23.** This methodology is considered robust, and is the first time an extensive list of A5 and non-A5 takeaway establishments in Islington has been compiled. However, this is not considered an exhaustive list; there may be some establishments that have been missed, and conversely there may be some which do not have a takeaway element; or there may be some establishments which have subsequently changed use under PD rights. Further survey work and mapping could be undertaken at application stage.
- 6.24.** The survey required a distinction to be made between A5 units and A1/A3 units with a takeaway element. With A3 and A5 uses, there may be some units with A3 use as a hangover from the pre-2005 UCO, but which are actually A5 units; the survey methodology encompasses this. Some units have both A3 and A5 permission, making them effectively Sui Generis; these units were classed as non-A5 with a takeaway element.
- 6.25.** A1 coffee shops were not included as their primary function is the sale of hot drinks. However, it is noted that these drinks can be akin to fast food (i.e. high fat and sugar

²⁸Healthy Catering Commitment for London Assessment Criteria, available from:

http://www.cieh.org/uploadedFiles/Core/Membership/Regional_network/London/Healthier_Catering_Commitment_for_London_Criteria_March_2011.pdf

²⁹ A Food Hygiene Rating Scheme (FHRS) score of at least 3 (Generally Satisfactory) is required. Further information on the FHRS is available from: <http://www.food.gov.uk/multimedia/hygiene-rating-schemes/ratings-find-out-more-en>

³⁰ Information available at: <https://www.bhf.org.uk/heart-health/how-we-can-help/hearty-lives/islington>

³¹ To note: this survey was a visual survey conducted on-site and via other secondary means. The planning use has been assumed using certain parameters; this survey does not constitute confirmation of the lawful use of a unit and does not prejudice any future decisions made by Islington Council.

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content; and energy-dense); and coffee shops often sell food as well. These reasons could be used to justify inclusion, although the council has decided not to at this stage. A future review of this SPD could include A1 coffee shops. However, an assessment of location and concentration of uses at application stage could include coffee shops depending on the specific case circumstances.

- 6.26.** Newsagents and other A1 convenience stores were not included given that they sell a wide range of products. However, there is a recognised argument that some products on sale in such stores, e.g. chocolate bars, crisps, soft drinks, are major contributors to poor diets and ultimately the higher prevalence of obesity. As with coffee shops, the council has not included newsagents and other convenience stores at this stage, but there could be scope to do so in future revisions of the SPD; an assessment of location and concentration of uses at application stage could include newsagents and other A Use convenience stores depending on the specific case circumstances.
- 6.27.** The survey revealed that there are currently 178 hot food takeaway restaurants in the borough. In addition there are 319 non-A5 uses with a takeaway element. Purely based on the number of A5 units, this gives a total of 83 fast food outlets per 100,000 population. If non-A5 uses with a takeaway element are included, the number of outlets per 100,000 population in Islington rises to 230.
- 6.28.** Information from Public Health England (PHE) can be used to compare Islington with the average number of fast food outlets per 100,000 across England³². This analysis was based upon three particular types of fast food outlets, sourced from Ordnance Survey InterestMap™, rather than a specific analysis of A5 uses. It is likely that the data used by PHE includes some A3 uses which distort the statistics from a planning point of view. The London Inset map in the PHE analysis³³ shows that Islington has between 107 and 210 fast food outlets per 100,000 population, and is therefore significantly above the England average of 86 fast food outlets per 100,000 population.
- 6.29.** Islington, therefore, has nearly three times the England average figure of fast food outlets. Although it is unclear exactly how PHE have included A3 and A5 units in the average figure, it is particularly telling that Islington comes very close to the national average solely through consideration of A5 uses.
- 6.30.** Further statistics have been sourced from the Food Standards Agency (FSA) Food Hygiene Rating scheme³⁴. This scheme, operated by local authorities, gives businesses a 'hygiene rating' which shows how closely the business is meeting the requirements of food hygiene law. The ratings are organised by business type, including a takeaway/sandwich shop category. This does not reflect the planning use class, but it does provide a good basis through which to compare Islington to other local authorities in terms of number of hot food takeaways.

³² Public Health England 2014, Obesity and the environment: Fast food outlets, available from: <http://www.noo.org.uk/visualisation>

³³ Ibid

³⁴ Food Standards Agency, Find out more about food hygiene ratings, available from: <http://www.food.gov.uk/multimedia/hygiene-rating-schemes/ratings-find-out-more-en/>

- 6.31.** Looking specifically at the FSA figures³⁵ in order to compare Islington with other London boroughs and the UK overall, **Islington has the second highest number of hot food takeaways per hectare of all London local authorities**, behind only Tower Hamlets. The FSA figures show that the ratio of Islington residents per hot food takeaway is 989:1, the 5th tightest ratio across London, and significantly tighter than the UK ratio of 1,289:1.
- 6.32.** Given that Islington is the most densely populated borough in the UK, such a significant existing concentration of fast food outlets has an amplified impact (i.e. these outlets are in close proximity to large numbers of Islington residents) and may make over-concentration more likely in the future.
- 6.33.** The results of the survey have been mapped to visualise the location and concentration of A5 uses and non-A5 uses with a takeaway element.
- 6.34.** **Map 1** shows the number of A5 takeaways in the borough³⁶. The boundaries for Islington's Town Centres and Local Shopping Areas are shown for context.
- 6.35.** As the map shows, A5 units generally correlate with retail designations; the most significant number of dispersed A5 units is in the CAZ, but this is to be expected given the lack of specific retail designations and the role that the CAZ plays in supporting the night-time economy.
- 6.36.** There are significant concentrations of A5 units in Archway and Finsbury Park Town Centres, as well as in the Lower Holloway, Hornsey Road (North) and Caledonian Road (Central) Local Shopping Areas³⁷. Almost 50% of Islington's A5 units are located on the main arteries which cross these areas – Seven Sisters Road, Blackstock Road, Holloway Road, Hornsey Road, Caledonian Road and Junction Road. **These main arteries, particularly within the aforementioned retail designations, should be considered areas of concern in relation to the concentration of A5 hot food takeaways.**
- 6.37.** **Map 2** shows the number of A5 takeaways in the borough alongside non-A5 units with a takeaway element.
- 6.38.** This map shows strong concentrations of these non-A5 takeaway uses are most heavily focused in the core parts of Islington's Town Centres, which is the preferred location for such uses. Despite this, it is important to note that the takeaway element of these non-A5 uses, combined with the identified concentrations of A5 uses, could exacerbate adverse impacts associated with over-concentration.
- 6.39.** **Map 3** shows the number of A5 hot food takeaways in the borough with a 500m buffer zone to highlight potential areas where development of additional A5 unit(s) may lead to an over-concentration of these uses. Non-A5 uses with a takeaway element are also mapped for reference (though these uses do not have a buffer applied).

³⁵ Figures available from: <http://ratings.food.gov.uk/enhanced-search/en-GB/%5E/%5E/Relevance/7844/504/%5E/1/1/10>

³⁶ This map is a 'snapshot' to give an idea of the location and concentration of hot food takeaways. Updated survey and mapping may be produced on a case-by-case basis to ascertain an accurate picture to assist with determination of planning applications.

³⁷ Caledonian Road (Central) Local Shopping Area is within the area covered by the Cally Plan SPD. Section 5.1 of the Cally Plan SPD refers to the aim to prevent over-concentration of hot food takeaways on Caledonian Road.

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- 6.40.** As the map shows, the vast majority of the borough is within 500m of a hot food takeaway; the small areas that are not – the majority of the City Fringe Opportunity Area, part of York Way near the Vale Royal/Brewery Road Locally Significant Industrial Site and a residential area around Tufnell Park – are all in close proximity to a non-A5 use with a takeaway element.
- 6.41.** Particular areas of concern are identified in paragraph 6.36 above. It would not be appropriate to impose the same general level of concern across most of the borough just because a hot food takeaway is within 500m. However, it is appropriate to suggest that Islington, as a whole, has the potential to be more susceptible to adverse impacts arising from over-concentration of A5 uses, due to the prevalence of such uses and the small size of the borough (which means that large amounts of people live in close proximity to these A5 units). In almost all instances where a new A5 unit is proposed, there will be at least one existing A5 unit in close proximity³⁸. Therefore, taking into account the guidance on over-concentration risk established in section 5; and the risk scenarios set out in Appendix 2, **all new A5 applications will be robustly assessed, with particular regard had to potential adverse impacts on character, function, vitality, viability, amenity and health & wellbeing.**
- 6.42.** DMP policy DM4.3 Part B specifically mentions resisting new hot food takeaways near primary and secondary schools. **Map 4** shows the location of A5 hot food takeaways near primary and secondary schools. A 200M buffer zone around all schools has been displayed to highlight those A5 uses which are currently in close proximity to schools; and also to help easily identify whether applications for new A5 units are within close proximity to schools.
- 6.43.** The map shows that there are a significant number of hot food takeaways currently in close proximity to Islington's primary and secondary schools. This evidence gives significant impetus to the policy DM4.3 restriction on further hot food takeaways within 200m radius of schools.
- 6.44.** **Map 5** shows that there are also a number of non-A5 takeaway uses in close proximity to schools. This could further exacerbate adverse impacts associated with A5 uses in close proximity to schools.
- 6.45.** **Map 6** shows the number of hot food takeaways in the borough overlaid onto borough deprivation mapping from the IMD 2015 (overall score). A significant number of hot food takeaways coincide with the two most deprived IMD deciles.
- 6.46.** There is an evidenced association between fast food outlets and obesity, particularly where these uses are over-concentrated. The association is stronger in more deprived areas³⁹.
- 6.47.** Evidence from Camden and Islington Public Health⁴⁰ also suggests a higher propensity of obesity in the most deprived parts of Islington.

³⁸ Hot food takeaways in adjacent boroughs should also be taken into account – see paragraph 5.11.

³⁹ Public Health England 2014, op cit, see footnote 32

⁴⁰ Islington Evidence Hub 2014, op cit, see footnote 18

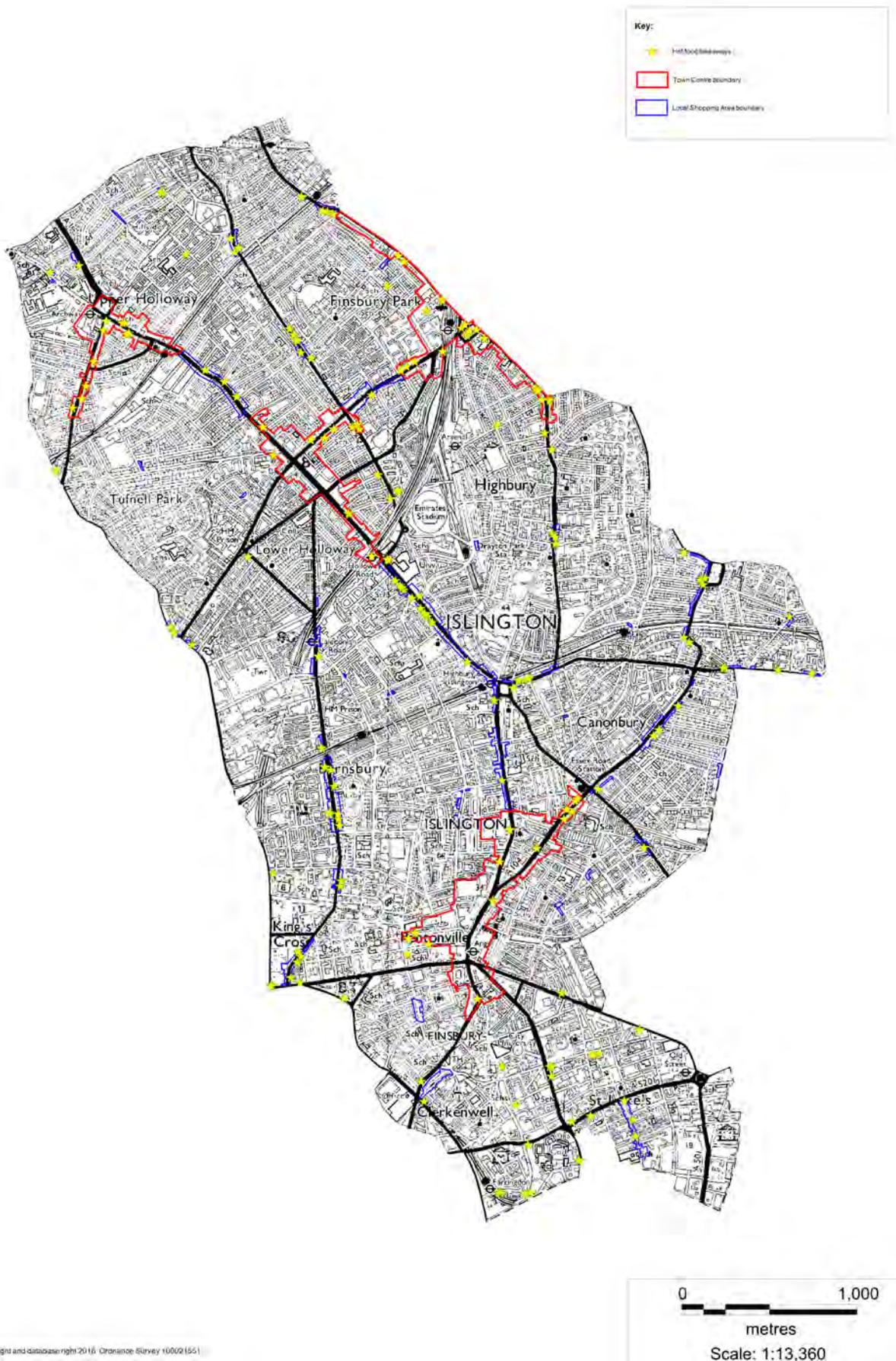
- 6.48.** The NHS London Healthy Urban Development Unit⁴¹ note that there is a strong relationship between socio-economic deprivation (as measured by the 2010 IMD score) and obesity prevalence in children. There are also a number of other socio-demographic factors that are linked with obesity prevalence, most notably ethnicity. Research cited by the Royal Society for Public Health⁴² also suggests a higher proportion of fast food outlets in the most deprived areas.

⁴¹ NHS London Healthy Urban Development Unit, HUDU Planning for Health: Using the planning system to control hot food takeaways; a good practice guide, February 2013

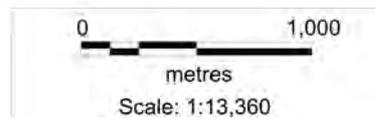
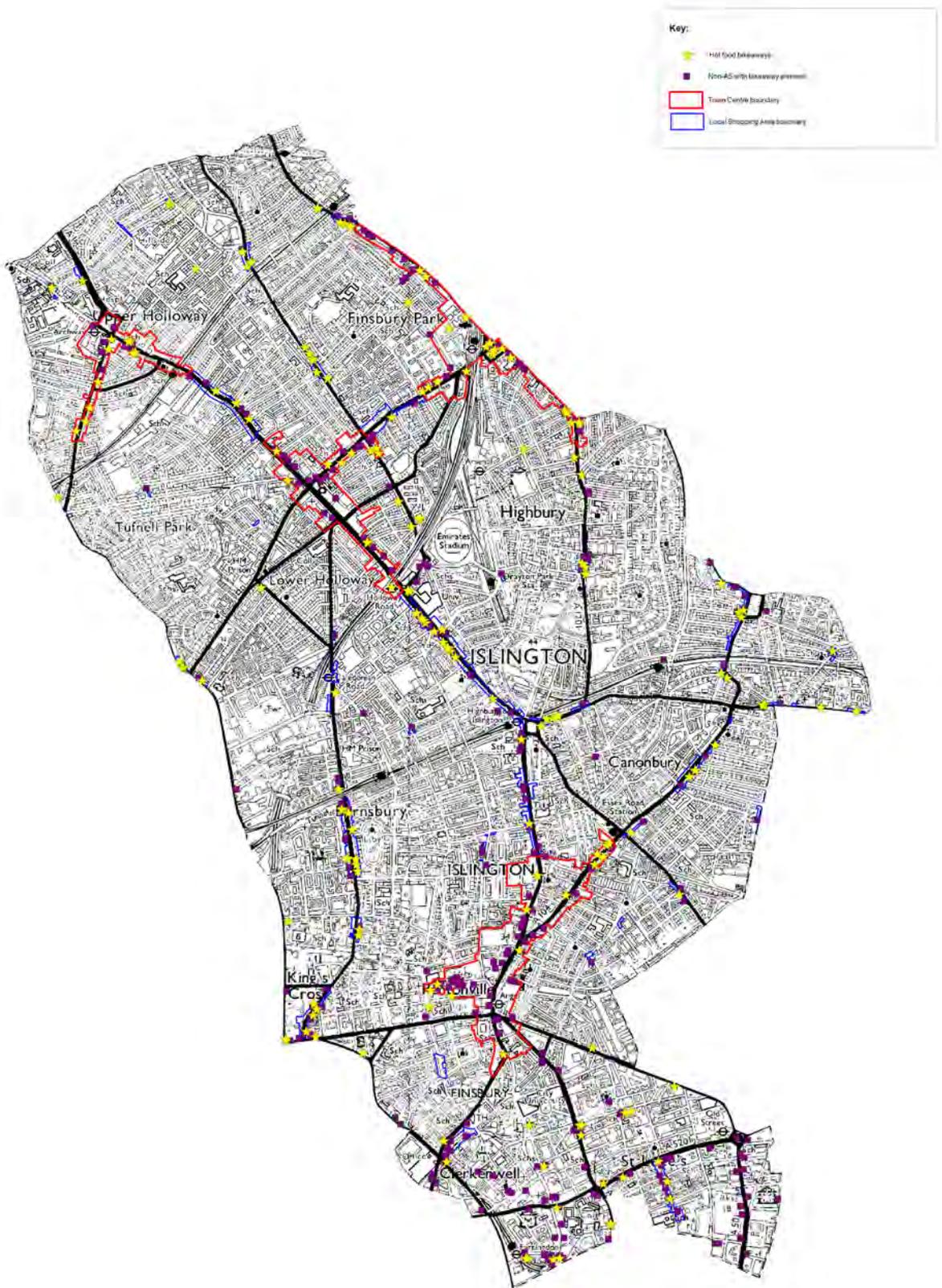
⁴² Royal Society for Public Health, Health on the High Street, March 2015

Location and concentration of uses SPD

Map 1:

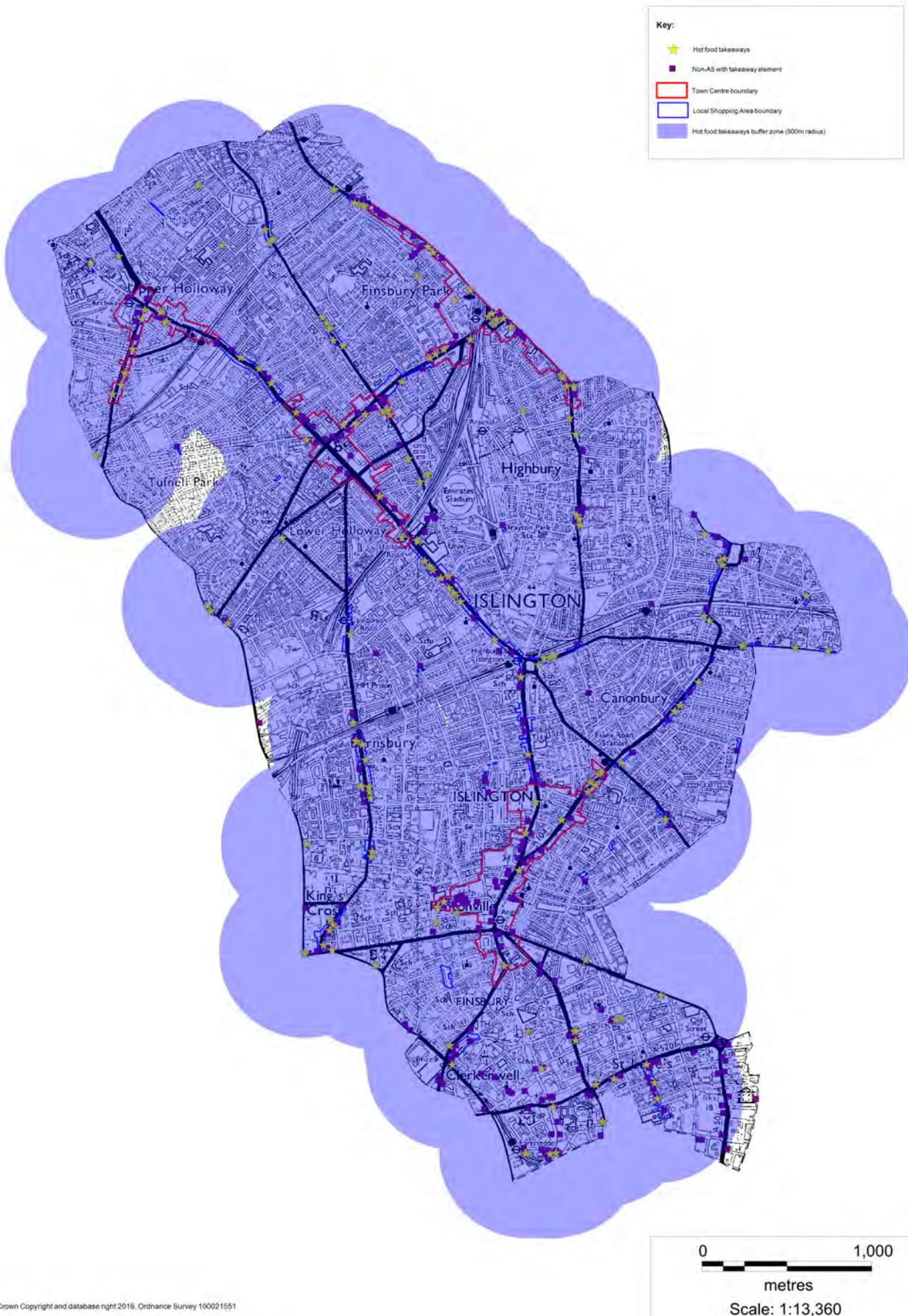


Map 2:

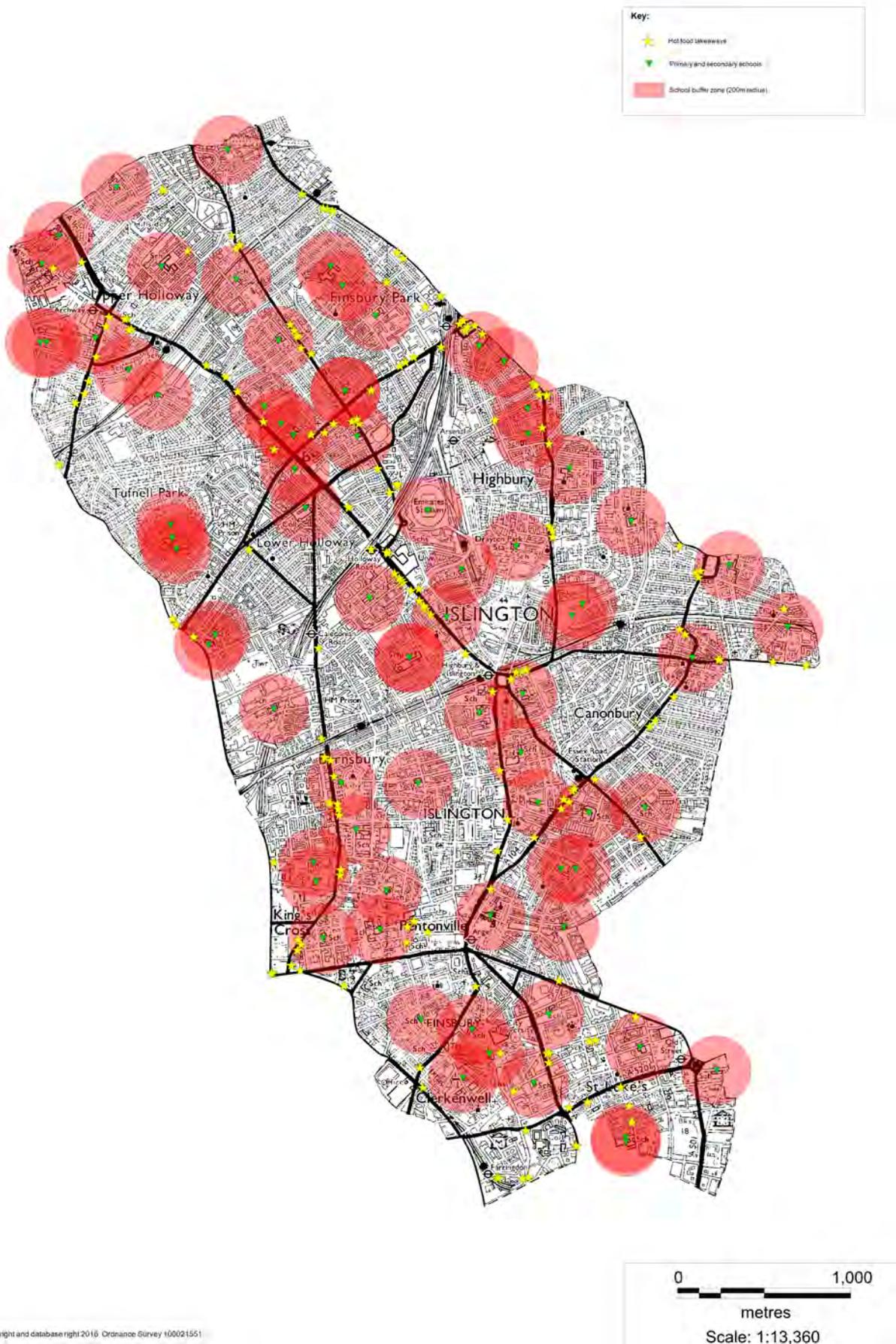


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Map 3:

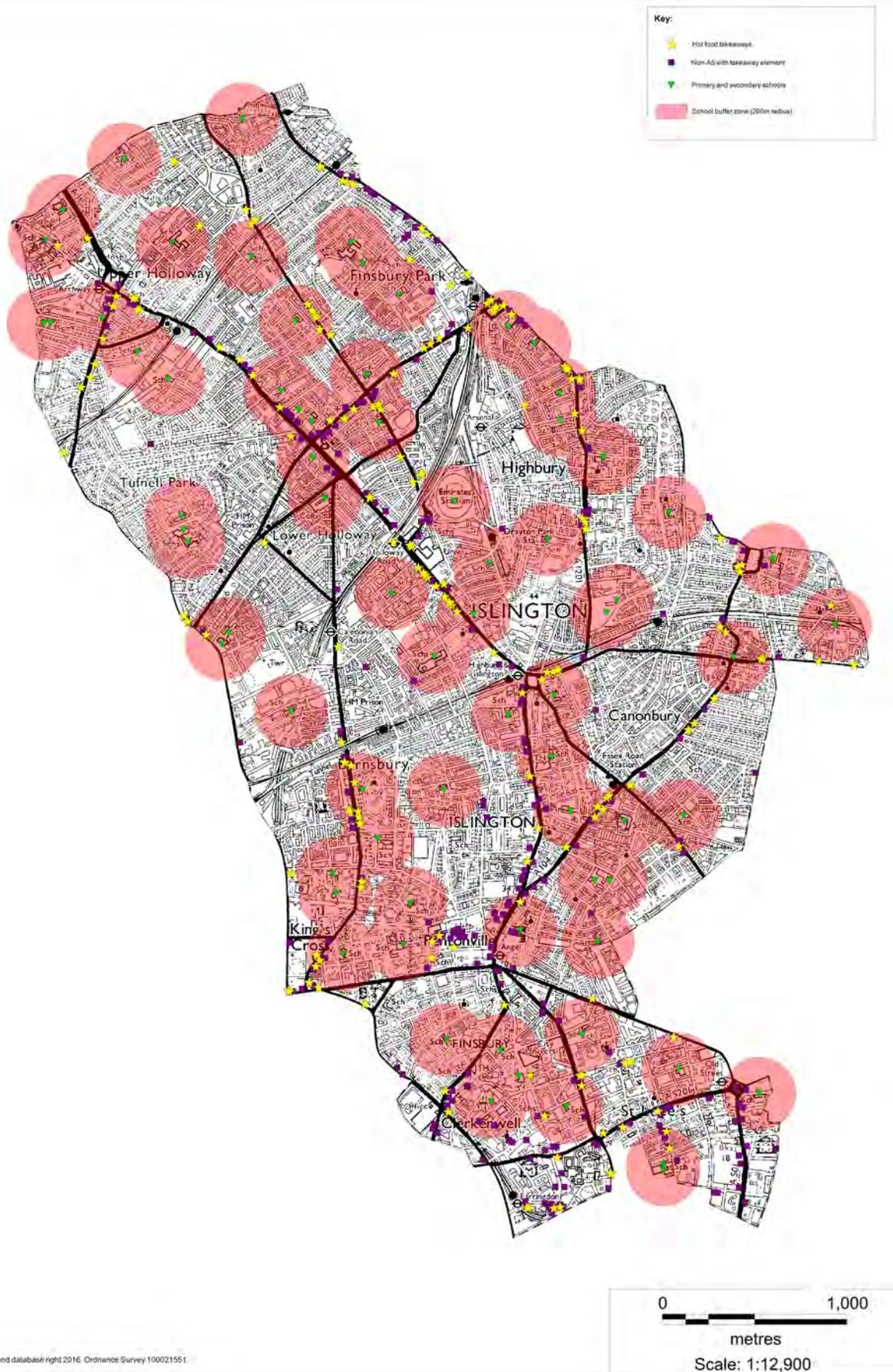


Map 4:

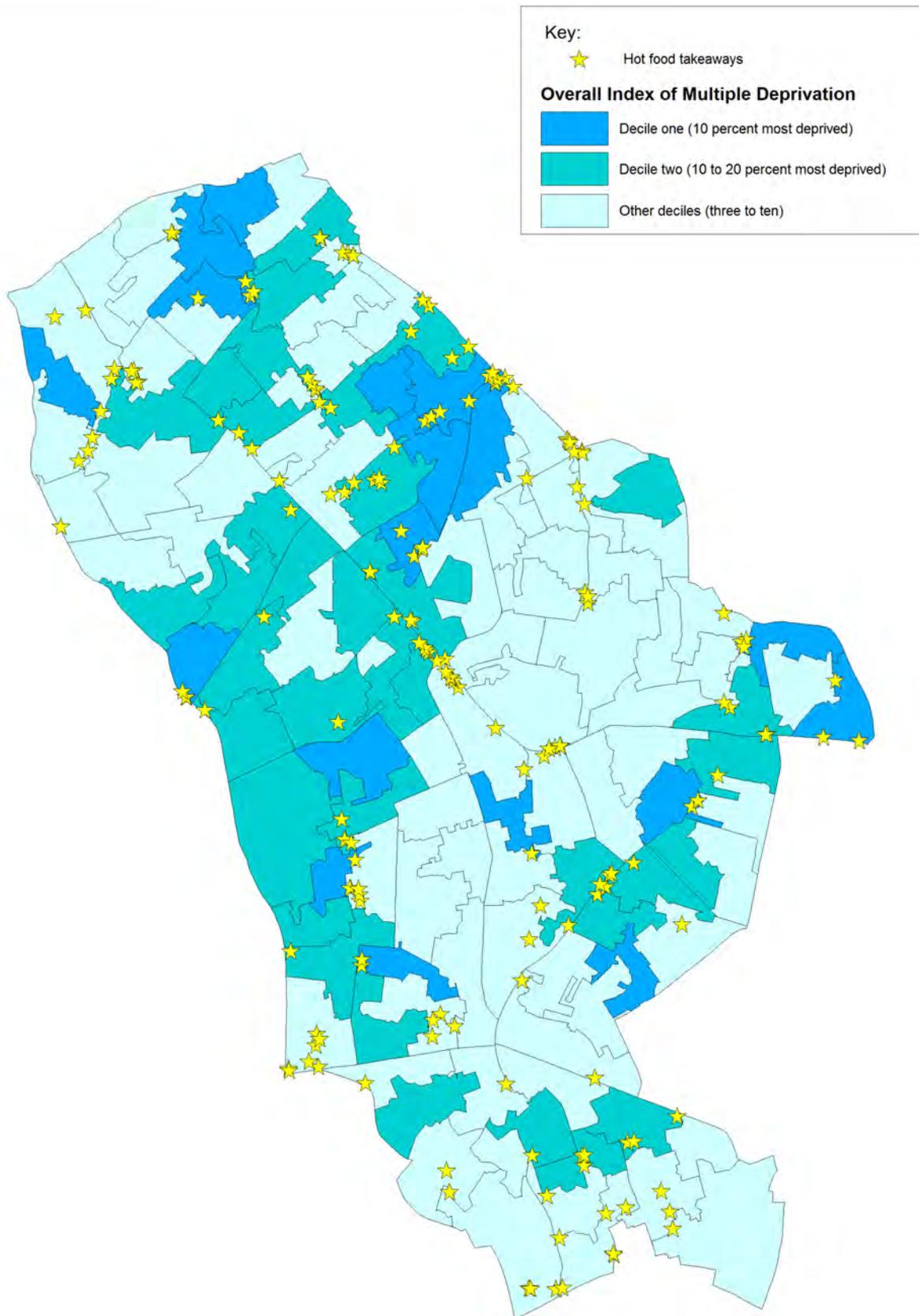


Location and concentration of uses SPD

Map 5:



Map 6:



Location and concentration of uses SPD

Planning applications

- 6.49.** Taking into account the parameters of the policy DM4.3; the evidence and information detailed above; and the main objective of this SPD, there is specific guidance which can be applied to new planning applications for A5 uses; this can also be applicable to A1/A3 uses dependent on case-specific circumstances.
- 6.50.** As well as new applications, this guidance may also apply to applications which intensify/alter existing A5 uses, e.g. through extensions; or a change to an opening hours condition.

HFT 1

When an application for a hot food takeaway is received, various council departments and partner organisations will be consulted for comments on potential impacts and to source evidence and statistics (where possible).

- 6.51.** To enable full consideration of applications for new hot food takeaways, information on potential impacts (both positive and negative) may be sourced from a number of departments within the council; and from organisations external to the council. This could include the council's Environmental Health - Commercial department and/or Public Health team. The council's Highways department – in relation to proposed tables on public highway - and Street Environment Services – in relation to litter – may also be consulted depending on specific circumstances.

HFT 2

All applications for A5 uses should be accompanied by a completed Islington 'Planning for Health' self-assessment.

- 6.52.** The Islington 'Planning for Health' self-assessment form has been developed in conjunction with this SPD and is provided at Appendix 1. The aim of the self-assessment is to encourage applicants to fully consider the health impacts of their proposal, in particular how any negative impacts will be mitigated/prevented; and to ensure that case officers have sufficient information to assess the impacts of the application.
- 6.53.** Provision of a completed self-assessment does not preclude a requirement for a full HIA where potential health issues are identified.
- 6.54.** Applicants considering an application for new hot food takeaways are advised to undertake pre-application discussions to determine the exact information requirements at the earliest possible stage.

HFT 3

Any applications for A5 units within a 200m radius of a primary or secondary school will be resisted.

- 6.55.** The 200m radius, as set out in policy DM4.3 Part B should be measured from the school entrance/exit; multiple entrances/exits will be considered separately, i.e. a separate radius will be calculated from each individual entrance/exit.
- 6.56.** Similar to the guidance regarding implementation of the 500m over-concentration radius – set out in paragraph 5.7 – there may be a proposed hot food takeaway within a 250m radius of a school which would clearly lead to a combined cumulative impact; therefore it would be folly to discount such an impact solely because it falls outside the identified 200m restriction zone. Likewise, the physical geography of an area may mean that a 200m radius is too extensive when factoring in actual walking times. The council will retain 200m as the default radius for assessment purposes, but these factors may be taken into account on a case-by-case basis.
- 6.57.** It should be noted that a recent planning appeal decision⁴³ in Islington upheld the default radius where a new A5 use was proposed within 200m of a local primary school. The inspector in this case specifically noted that although the proposed A5 unit and the primary school were separated by a road (the A1), it could not be ruled out that children would cross the road to reach the proposed outlet.

HFT 4

All permitted applications involving A5 uses will be conditioned to require the operator to achieve, and operate in compliance with, the Healthy Catering Commitment standard.

- 6.58.** As noted in paragraphs 6.19 to 6.21, the HCC is an important scheme to promote healthier eating. The council wants to ensure that all new hot food takeaways achieve, and operate in compliance with, this standard; therefore, all new hot food takeaway premises will be conditioned to require the operator to achieve, and operate in compliance with, the HCC standard.
- 6.59.** The following wording is suggested for the condition: the hot food takeaway operator must achieve the Healthy Catering Commitment standard within 6 months from the first day of operation, and comply with the standard thereafter. Evidence that the operator has achieved the standard must be displayed on the premises to the council's reasonable satisfaction, e.g. HCC door sticker.
- 6.60.** The council considers that such a condition is consistent with the tests set out in paragraph 206 of the NPPF.
- 6.61.** A 6 month window for achievement of the standard gives some allowance to accommodate any resource implications which may affect applicants or the council. However, the council will encourage operators to achieve the standard as soon as practicably possible. In certain circumstances, e.g. if an A5 unit is permitted in close proximity to a school, the council may explicitly require the standard to be achieved sooner.

⁴³ See Appeal Ref: APP/V5570/A/14/2227193, Food & Wine, 49 Upper Street, London N1 0PN, decision dated 19 May 2015.

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- 6.62.** To achieve the HCC standard, operators need to demonstrate consistency with at least 8 out of 22 criteria (36%); this is considered reasonably achievable for any A5 hot food takeaway operator.
- 6.63.** If the council suspects a breach of the condition, or if an allegation of a breach is received, it will investigate and will seek to establish whether the HCC criteria are being adhered to. This may be achieved through further requests for evidence from the operator e.g. copies of official scheme materials received following achievement of the HCC standard; verifiable photographic evidence of any HCC materials on display at the premises; and/or through site visits by council officers. There may also be scope to monitor compliance through the live map of HCC premises and/or through the council's annual survey of planning permissions.
- 6.64.** For avoidance of doubt, this condition will not circumvent any requirement for advertising consent.
- 6.65.** If any alternative or equivalent healthy eating schemes are introduced by other bodies; the council; and/or any other organisation/government department at a national or London-wide level, the council will consider whether it is appropriate to condition adherence to these schemes, either instead of or in addition to the HCC.
- 6.66.** If an applicant is able to demonstrate genuinely exceptional reasons why adhering to the HCC standard is not practicable, the council will take such reasons into account on a case-by-case basis.

HFT 5

All applications involving A5 uses should be accompanied by a Hot Food Takeaway Management and Operating Strategy.

- 6.67.** Hot food takeaways are often associated with a broad range of adverse impacts, as detailed elsewhere in this SPD. The council seeks a commitment, from hot food takeaway operators proposing new stores, to ensure that potential adverse impacts have been fully considered and measures have been put in place to prevent and/or mitigate impacts.

Therefore, the council will seek submission of a Hot Food Takeaway Management and Operating Strategy alongside applications for new A5 hot food takeaways⁴⁴. The information that should be included is all standard information which also needs to be provided when the operator applies for a premises licence, and is therefore not considered onerous. It will ensure that the salient issues for the council to consider when assessing a planning application are packaged together in a single document, and that the applicant has given some consideration to these issues. Currently, this information is not consistently available for hot food takeaway applications; whereas applications for other uses – such as hotels – are often accompanied by a management strategy in order to allow for proper consideration of all issues.

⁴⁴ This includes applications to vary conditions attached to an existing hot food takeaway, such as amendment of opening hours.

6.68. The council is not currently proposing to introduce a template for the document to allow for individual circumstances to be accounted for, although there are a number of common issues which the council expects to be addressed in each and every Hot Food Takeaway Management and Operating Strategy:

- Noise and odour: hot food takeaways generally have extraction/ventilation systems which are often linked with noise and odour impacts, depending on their design and siting in relation to adjacent properties. Potential impacts should be identified at an early stage and designed out where possible; or, where design options are limited, the applicant must demonstrate that full consideration has been given to effective mitigation measures and that the proposal will not cause adverse impacts.
- Anti-social behaviour and disturbance: hot food takeaways can contribute to the night time economy in specific areas, but they can also act as a beacon for anti-social behaviour. Proposals for new hot food takeaways must consider how anti-social behaviour can be tackled; this could include details of proposed staffing arrangements (including security staff); proposed membership of collective retail security/radio link schemes in the area; and evidence of early discussions with the Metropolitan Police and incorporation of any best practice information into the proposal.
- Litter and refuse arrangements: litter is often one of the primary adverse impacts associated with hot-food takeaways. Several responses to the preliminary consultation exercise raised litter as an issue. The council will work with other departments and organisations to assess the impact of litter, as noted in guidance point HFT 1. Any proposals coming forward for new hot food takeaways must demonstrate that measures to reduce litter have been fully investigated and implemented (where appropriate); this could include information on proposed signage to discourage littering; provision of litterbins on the premises and information showing the location of litterbins in the vicinity; and details of frequency of litter disposal. Islington Council have developed a smartphone app⁴⁵ to enable reporting of environmental issues such as littering; we would encourage new hot food takeaways to display information about this app on the premises.
- Transport and the public highway: hot food takeaways can have specific impacts on the public highway, due to associated delivery/moped vehicles; tables and chairs on the pavement; and a high demand for taxi services where hot food takeaways operate as part of the night-time economy, i.e. revellers visit a hot food takeaway at the end of a night out, and subsequently book a private hire taxi pick-up or flag a Hackney Carriage from outside the premises, thus causing congestion issues. All proposals for hot food takeaways are expected to address these issues, including demonstration of where delivery vehicles will park; whether any taxi pick-up/drop-off points are located nearby; and whether any discussions have taken place with the council's Streetworks team regarding a licence for any proposed tables/seating on the pavement.

6.69. The Hot Food Takeaway Management and Operating Strategy should also consider any other potential impacts on vitality, viability, character, amenity, function and health and wellbeing.

⁴⁵ Information available from: <http://www.islington.gov.uk/services/rubbish-recycling/street-cleansing/Pages/default.aspx>

- 6.70.** There should also be some cross-reference to the Islington 'Planning for Health' self-assessment sought under guidance point HFT 2, i.e. if the self-assessment identifies potential adverse impacts, the Hot Food Takeaway Management and Operating Strategy should identify measures to prevent these impacts from arising or mitigate them.
- 6.71.** The council will put an informative note on any permitted hot food takeaway to confirm that the application was permitted based on the information given in the submitted Hot Food Takeaway Management and Operating Strategy. However, in appropriate circumstances, individual elements of the Hot Food Takeaway Management and Operating Strategy may be secured by full planning condition to guarantee compliance.

7 Betting shops

Background

- 7.1.** A betting shop is a location that is licensed to enable betting – as defined by the Gambling Act 2005⁴⁶ - to be carried out on the premises.
- 7.2.** Betting shops are regulated through three types of licence:
- **Operating licence** – this is the overarching licence needed to run a betting shop. An operating licence is obtained from the Gambling Commission⁴⁷ and allows holders to run a betting shop and certain other betting activities in the UK.
 - **Personal management licence** – except in the case of very small betting shop operations, staff with certain responsibilities in betting organisations need to have a personal management licence. Personal management licences are obtained from the Gambling Commission⁴⁸.
 - **Premises licence** – a premises licence is needed for each individual betting shop. This licence is granted by local licensing authorities (i.e. councils)⁴⁹ and is considered the most important of the three required licences.
- 7.3.** The Gambling Act 2005 is underpinned by the following three licensing objectives:
- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - ensuring that gambling is conducted in a fair and open way; and
 - protecting children and other vulnerable people from being harmed or exploited by gambling.
- 7.4.** Applications for new premises licences must be consistent with these objectives, and any local licensing policy in relation to gambling.
- 7.5.** Islington Council, as the local licensing authority, is required to prepare, consult on and publish a statement of gambling policy that sets out how gambling will be regulated in the borough. The current policy, for the period 2016-19⁵⁰, sets out the council's general

⁴⁶ Definition of betting is the “making or accepting of a bet on the outcome of a race, competition or other event or process; the likelihood of anything occurring or not occurring; or whether anything is or is not true.”

⁴⁷ Gambling Commission, How do I apply for an operating licence – betting?, information available from:

<http://www.gamblingcommission.gov.uk/Gambling-sectors/Betting/Getting-a-licence/Applying-for-a-licence/How-do-I-apply-OL/How-do-I-apply-for-an-operating-licence.aspx>

⁴⁸ Gambling Commission, Personal licences, information available from:

<http://www.gamblingcommission.gov.uk/Personal-licences-PML-PFL/Personal-licences.aspx>

⁴⁹ Gambling Commission, How do I apply for an betting premises licence – betting?, information available from:

<http://www.gamblingcommission.gov.uk/Gambling-sectors/Betting/Getting-a-licence/Applying-for-a-licence/Apply-for-a-premises-licence.aspx>

⁵⁰ Islington Council, Gambling Act 2005: Gambling Policy: 2016 – 2019, available from:

[http://www.islington.gov.uk/publicrecords/library/Economic-development/Business-planning/Policies/2015-2016/\(2016-01-05\)-Gambling-Policy-2016-19.pdf](http://www.islington.gov.uk/publicrecords/library/Economic-development/Business-planning/Policies/2015-2016/(2016-01-05)-Gambling-Policy-2016-19.pdf)

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approach when assessing premises licence applications. Licence conditions can be attached to a premises licence in order to ensure that potential adverse impacts, including impacts related to crime and anti-social behaviour, are alleviated.

- 7.6.** Once granted, a premises licence applies for an indefinite period, although if the licensee fails to pay the annual licence fee or breaches a licence condition, the licence can be revoked.
- 7.7.** The local authority licensing regime includes consideration of similar issues to planning, but it is a distinct and separate regime⁵¹. Although the licensing regime cannot take planning considerations into account, licensing concerns can be a material consideration in the determination of planning applications. The weight given to relevant licensing concerns will be applied on a case-by-case basis dependent on the evidence available.
- 7.8.** The court's decision in *Gold Kebab Limited v Secretary of State for Communities and Local Government (2015)*⁵² supports this view. This case concerned a shop with licensing permission to operate until a certain time, but planning consent that conditioned much more limited opening hours. The planning decision was challenged on the basis that the licensing permission, which allowed longer operating hours, should have been taken into account as a material consideration. The court held that the legal considerations driving the separate regimes are different, although there may be some overlap.
- 7.9.** Analysis⁵³ of this case has highlighted the main message of this court decision:
- "The golden rule is that even where statutory schemes overlap, such as in planning and licensing, one set of facts may quite lawfully lead to different or incompatible outcomes."*
- 7.10.** The licensing regime has a specific requirement, enshrined in the Gambling Act 2005, for local licensing authorities to 'aim to permit' gambling subject to certain considerations, the most important of which is consistency with the three licensing objectives noted above. Issues such as clustering and health impacts currently cannot be taken into account as they are not specific licensing objectives as defined in the Gambling Act 2005.
- 7.11.** Applicants should seek planning permission prior to licensing permission. In circumstances where a licence is granted prior to planning permission, this should not affect the consideration of a planning application, given the different requirements of the two separate regimes.

⁵¹ A 2016 Gambling Commission investigation into Paddy Power Holdings Ltd identified a number of serious failings on the part of Paddy Power Holdings Ltd in relation to keeping crime out of gambling and protecting vulnerable people from being harmed or exploited (i.e. two of the three licensing objectives). This investigation suggests that the licensing system, by itself, may not be sufficient to prevent harm where new betting shops are proposed. The planning system, operating alongside licensing, can assist with ensuring that impacts are prevented or mitigated. Further information on the investigation is available from: <http://www.gamblingcommission.gov.uk/pdf/Paddy-Power-public-statement-February-2016.pdf>

⁵² *Gold Kebab Ltd v Secretary of State for Communities And Local Government* [2015] EWHC 2516 (Admin), available from: <http://www.bailii.org/ew/cases/EWHC/Admin/2015/2516.html>

⁵³ Gilks, M. (2015), Local Government Lawyer, The interaction between the planning and licensing regimes, 24 September 2015, available from:

http://www.localgovernmentlawyer.co.uk/index.php?option=com_content&view=article&id=24500%3Athe-interaction-between-the-planning-and-licensing-regimes&catid=63&Itemid=31

- 7.12.** Considerations which can be taken into account when assessing applications for a premises licence are limited by statute. Planning considerations have no such limitations in principle; relevant Development Plan policies (those that have been adopted, and are therefore legally compliant and ‘sound’) can be applied, as can any material consideration – such as health impacts - determined by evidence.
- 7.13.** The council’s Licensing and Public Health departments are two specific departments who may be consulted on specific planning applications for betting shops.
- 7.14.** The Government’s recent changes to the UCO, referred to in paragraph 2.6 above, suggests that they have concerns about the potential impact of betting shops, and that planning has a distinct role in assessing each and every betting shop application.
- 7.15.** Betting shops are a Sui Generis use in planning terms, and are not considered a retail use. Some uses, such as payday loans shops, often have an associated retail element and hence can be classed as quasi-retail; however, planning appeal decisions⁵⁴ have established that betting shops are materially different from a retail use due to lack of associated retail and generally less active front windows (which are often given over exclusively to display of odds and promotions, creating a barrier between the street-scene and internal shop areas with only limited visual interest). Excessive concentration of betting shops in areas which are predominantly retail in character could adversely impact the continued health and sustainability of such areas.
- 7.16.** Betting shop operators often claim that new betting shops will increase footfall in shopping areas, hence benefiting other shops and services. However, this is not a general rule and would need to be properly evidenced on a case-by-case basis⁵⁵. Planning inspectors have concluded that betting shops may not lead to a significant increase in the number of shoppers in the centre or have a noticeable effect on the vitality of the centre, especially where they add to existing high concentrations of non-retail uses⁵⁶. Further appeal decisions⁵⁷ have also found that where there are multiple existing betting shops in an area and/or where a betting shop proposes to relocate, any beneficial effect from the footfall from a new betting shop is likely to be limited and the new shop would therefore be unlikely to add to the range of shops in the area; attract new customers into an area or contribute to the vitality or interest of the area.
- 7.17.** The impact of betting shops can be two-fold. First there is the physical location of a betting shop, which may cause adverse impacts due to close proximity to a sensitive use⁵⁸

⁵⁴ See Appeal Ref: APP/P1235/A/11/2165906, 26 St Thomas Street, Weymouth, Dorset, DT4 8EJ, decision dated 26 March 2012; Appeal Ref: APP/T2350/A/12/2189415, 10 Market Place, Clitheroe, Lancashire BB7 2DA, decision dated 16 May 2013; and Appeal Ref: APP/M5450/A/12/2187570, 10-12 St Ann’s Road, Harrow, HA1 1LG, decision dated 23 April 2013.

⁵⁵ See Appeal Ref: APP/B0230/A/13/2202688, 2-4 George Street, Luton, Bedfordshire, LU1 2AN, decision dated 29 January 2014.

⁵⁶ See Appeal Ref: APP/M5450/A/12/2187570, 10-12 St Ann’s Road, Harrow, HA1 1LG, decision dated 23 April 2013; and Appeal Ref: APP/D0840/A/14/2212826, Evans Ltd, 16 St Nicholas Street, Truro TR1 2RW, decision dated 21 July 2014.

⁵⁷ See Appeal Ref: APP/J0405/A/13/2210745, 7-9 Market Square, Aylesbury, HP20 1TA, decision dated 10 April 2014; Appeal Ref: APP/W4705/A/11/2166627, 40 Market Square, Shipley, West Yorkshire BD18 3QJ, decision dated 9 March 2012; and Appeal Ref: APP/B4215/A/13/2193520, Unit 25, Cheetham Hill Shopping Centre, Bury Old Road, Manchester, M8 5EL, decision dated 31 May 2013.

⁵⁸ See Section 5 of the SPD for guidance on sensitive uses

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and/or over-concentration of such uses; secondly, betting shops almost always feature Fixed Odds Betting Terminals (FOBTs).

7.18. Betting shops are limited to four FOBTs per premises. A 2012 report produced by the Culture, Media and Sport Select Committee⁵⁹ notes that “[t]he 2005 Act has had the unintended consequence of encouraging the clustering of betting shops in some high streets by... limiting the number of B2 machines permitted in each premises”. Other reports/research has also noted⁶⁰ the restriction on FOBTs as a key driver behind the increasing number and concentration of betting shops across the country. Figures from 2011 showed that FOBTs profits accounted for up to half of overall betting shop profits⁶¹.

7.19. FOBTs have the potential to amplify the common adverse impacts of betting shops, including exacerbating mental health problems and increasing anti-social behaviour. In planning terms, potential increases in anti-social behaviour, crime and disorder are valid material considerations, and have been upheld in planning appeals⁶². The following quote encapsulates a planning inspector’s reasoning behind use of evidence of anti-social behaviour, crime and disorder:

“It seems to me that it is not possible to be categorical but that the weight of well-informed evidence suggests that this outcome is likely to materialise. Put another way, it would be foolish to ignore the convincing accounts given [in opposition to proposed betting shop] or to assume that they would not be repeated in association with the proposed betting office.”

7.20. It may be pertinent to seek advice from the Metropolitan Police on specific applications, particularly local crime and disorder statistics.

7.21. Further discussion of specific aspects of the betting shops, and links to relevant evidence, is provided in Appendix 3.

Betting shops in Islington

7.22. Islington Council have undertaken an assessment of betting premises in the borough. The baseline information was sourced from the council’s Licensing department, who provided a list of all licensed betting premises in the borough⁶³.

⁵⁹ House of Commons Culture, Media and Sport Committee, The Gambling Act 2005: A bet worth taking? First Report of Session 2012–13 Volume I: Report, together with formal minutes, oral and written evidence, published on 24 July 2012

⁶⁰ See London Borough of Newham’s Sustainable Communities Act proposal, available from: <https://www.newham.gov.uk/Documents/Misc/SustainableCommunitiesActBettingShopCampaign.pdf>; and The Portas Review: An independent review into the future of our high streets, Mary Portas, December 2011, available from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6292/2081646.pdf

⁶¹ Hanrahan, S. (on behalf of the London Health Inequalities Network), Responding to the cumulative impact of betting shops: a practical discussion guide for London boroughs, July 2013, available from: <http://www.lho.org.uk/download.aspx?urlid=18207&urlt=1>

⁶² See Appeal Ref: APP/C5690/A/11/2151228, 93-95 Deptford High Street, London, SE8 4AZ, decision dated 16 August 2011

⁶³ All currently held licences can be searched on the council’s website - <http://www.islington.gov.uk/services/business-licensing/regulations/licences/Pages/licence-search.aspx>

- 7.23.** This information was supplemented by a desktop exercise to ensure that all premises identified in the baseline information was accurate; this included a systematic check of the store locator function on the websites of a number of major betting shop chains.
- 7.24.** Information on the number of betting shops across the rest of Great Britain was then sourced from the Campaign for Fairer Gambling⁶⁴.
- 7.25.** The survey revealed that there are currently 68 betting shops in the borough⁶⁵. In terms of the absolute number of betting shops, this is not a particularly significant amount compared with other local authorities; however, in terms of the number of betting shops per hectare, **this is the second largest figure of all local authorities in Great Britain⁶⁶**, behind only the City of Westminster.
- 7.26.** Given that Islington is the most densely populated borough in the UK, such significant concentration of betting shops per hectare has an amplified impact in terms of proximity to large amounts of people and potential gamblers, and may make over-concentration more likely. The ratio of Islington residents per betting shop is 3,172:1, the 16th tightest ratio across Great Britain and the 6th tightest amongst London local authorities.
- 7.27.** The results of the survey have been mapped to visualise the location and concentration of betting shops in Islington. **Map 7** shows the number of betting shops in the borough⁶⁷. The boundaries for Islington's Town Centres and Local Shopping Areas are shown for context.
- 7.28.** The map shows that there are specific concentrations of betting shops in Archway, Nag's Head and Finsbury Park Town Centres; these concentrations also coincide with some of the most deprived areas of the borough.
- 7.29.** There are also a number of Local Shopping Areas with multiple betting shops, particularly along Caledonian Road⁶⁸, Essex Road and Holloway Road. Most betting shops fall within a designated retail area, although there are a number of dispersed shops in the CAZ – which could be expected given the mixed-use nature of the area and the relative lack of retail designations in this area – and also in Caledonian and Holloway wards to the west of the borough.
- 7.30.** Figures from table 3.10 of the GLA Town Centre Health Check 2013⁶⁹ identify Nag's Head as one of the top 15 London Town Centres in terms of absolute number of betting shops; and one where the number of betting shops has increased markedly between 2007 and 2012. This information, in addition to the council's own mapping, suggests that **Nag's**

⁶⁴ The Campaign for Fairer Gambling sourced information from Geofutures on the number of betting shops with 'active', 'grant' or 'variation' status.

⁶⁵ The Campaign for Fairer Gambling data shows that Islington have 63 betting shops; we have used our own more detailed survey information to give the Islington figure used in this SPD.

⁶⁶ This does not include the City of London.

⁶⁷ This map is a 'snapshot' to give an idea of the location and concentration of betting shops. Updated survey and mapping may be produced on a case-by-case basis to ascertain an accurate picture to assist with determination of planning applications.

⁶⁸ Caledonian Road (Central) Local Shopping Area is within the area covered by the Cally Plan SPD. Section 5.1 of the Cally Plan SPD refers to the aim to prevent over-concentration of hot food takeaways on Caledonian Road.

⁶⁹ Greater London Authority, 2013 London Town Centre Health Check Analysis Report, March 2014, available from: <https://www.london.gov.uk/what-we-do/planning/london-plan/london-plan-technical-and-research-reports>

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Head should be considered an area of concern regarding the concentration of betting shops.

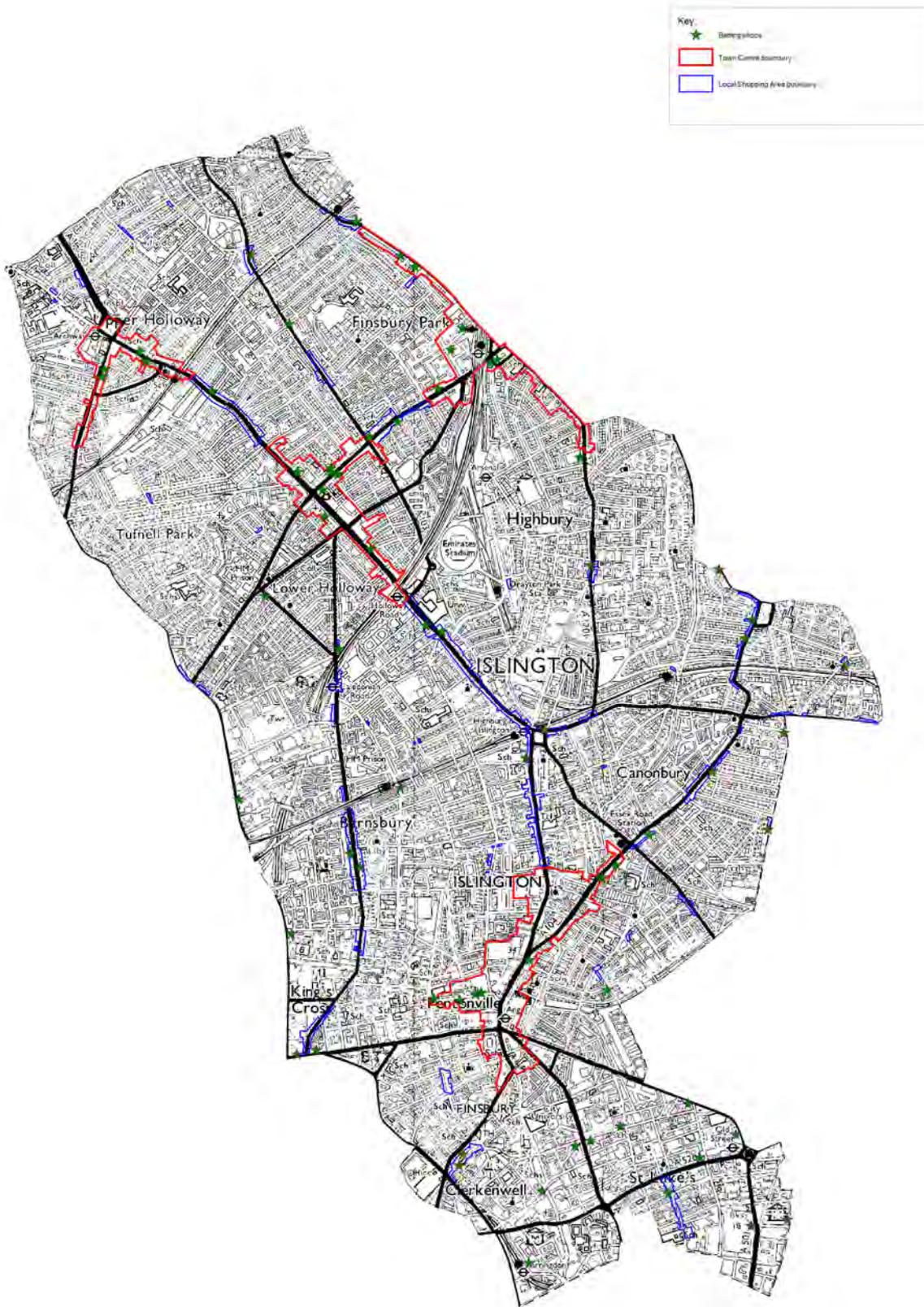
- 7.31.** Map 8 shows the number of betting shops in the borough with a 500m buffer zone to highlight potential areas where development of additional betting shop(s) may lead to an over-concentration of these uses.
- 7.32.** The map shows that the majority of the borough is within 500m of a betting shop⁷⁰. Therefore, taking into account the guidance on over-concentration risk established in section 5; and the risk scenarios set out in Appendix 2, **all applications for new betting shops will be robustly assessed, with particular regard had to potential adverse impacts on character, function, vitality, viability, amenity and health & wellbeing.**
- 7.33.** As discussed in paragraph 5.6, assessment of over-concentration is not limited to the specific use in question (in this case betting shops); payday loan shops can have similar adverse impacts to betting shops, particularly a potential increase in incidences of severe debt⁷¹. Where there are other relevant similar uses within a 500m radius of a site, these should form part of any assessment of over-concentration. With regard to payday loan shops, map 11 and paragraph 8.18 identify Nag's Head as an area of concern regarding the existing concentration of payday loan shops; Nag's Head is also an area of concern in relation to the concentration of betting shops, as noted in paragraph 7.30. This amplifies the potential for adverse cumulative impacts in this area arising from over-concentration of these similar uses.
- 7.34.** Map 9 shows the number of betting shops in the borough overlaid onto borough deprivation mapping from the IMD 2015 (overall score). A significant concentration of betting shops in the borough coincides with some of the most deprived areas in the borough (based on IMD overall score). The IMD score is formulated in part by the level of income deprivation, which is measured by the proportion of people who are dependent on means-tested benefits. As noted in Appendix 3, there is a higher prevalence of problem gambling in the most deprived IMD areas; amongst people who are unemployed; and those with very severe money problems. Appendix 3 also highlights that clustering of betting shops in deprived areas is a phenomenon that has occurred in other local authorities.
- 7.35.** If Islington's most deprived areas feature the most significant clusters of betting shops, opportunities to gamble are likely to be greater and therefore incidences of problem gambling may be increased. This could have significant health impacts, particularly mental health; problem gamblers are more likely to experience adverse financial, social and health impacts due to increased debts, anxiety and other harms⁷².

⁷⁰ Betting shops in adjacent boroughs should also be taken into account – see paragraph 5.11.

⁷¹ Impacts of betting shops and payday loan shops are discussed in more detail in Appendix 3.

⁷² Royal College of Psychiatrists, Problem Gambling, available from: <http://www.patient.co.uk/health/problem-gambling>

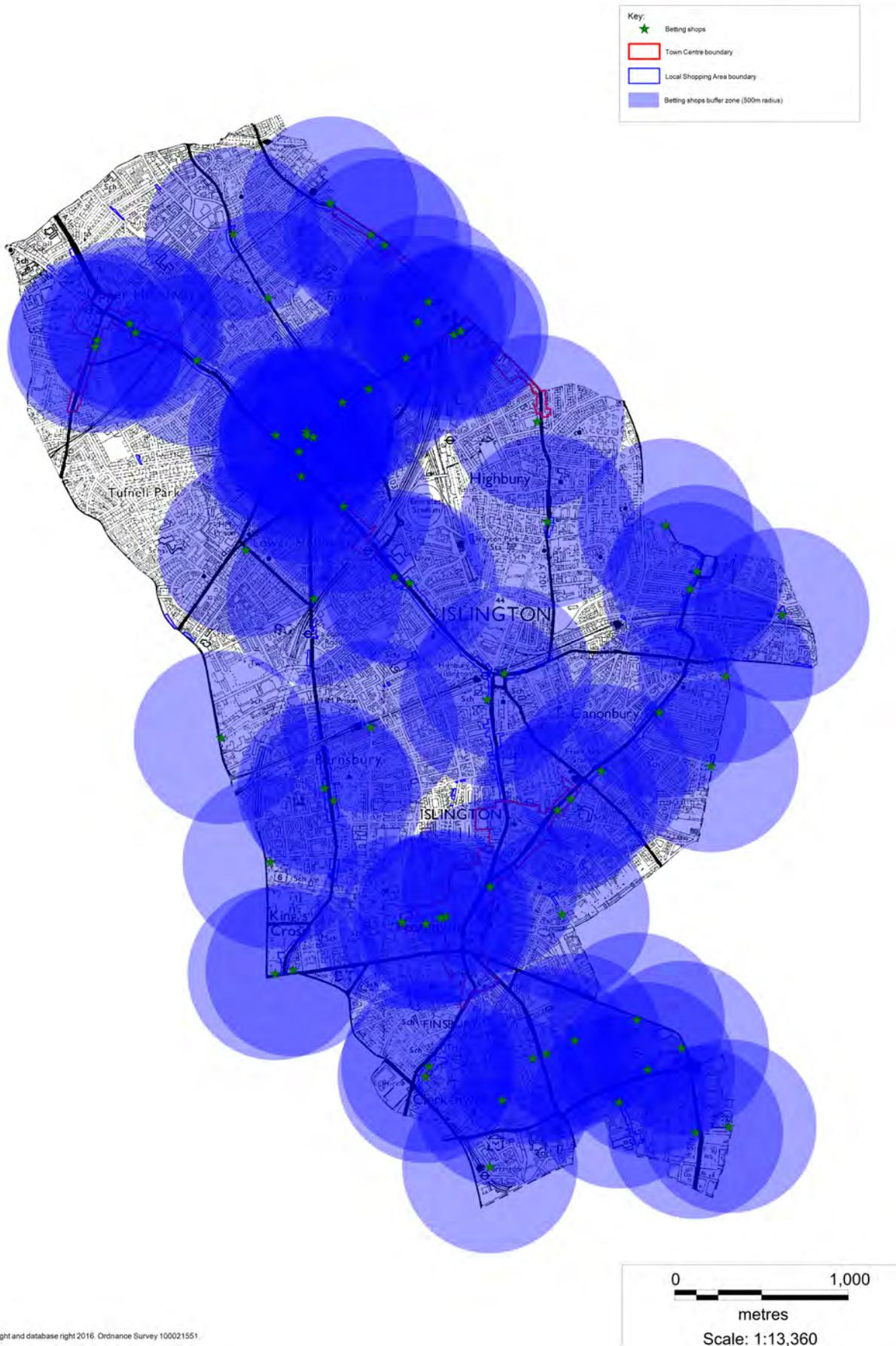
Map 7:



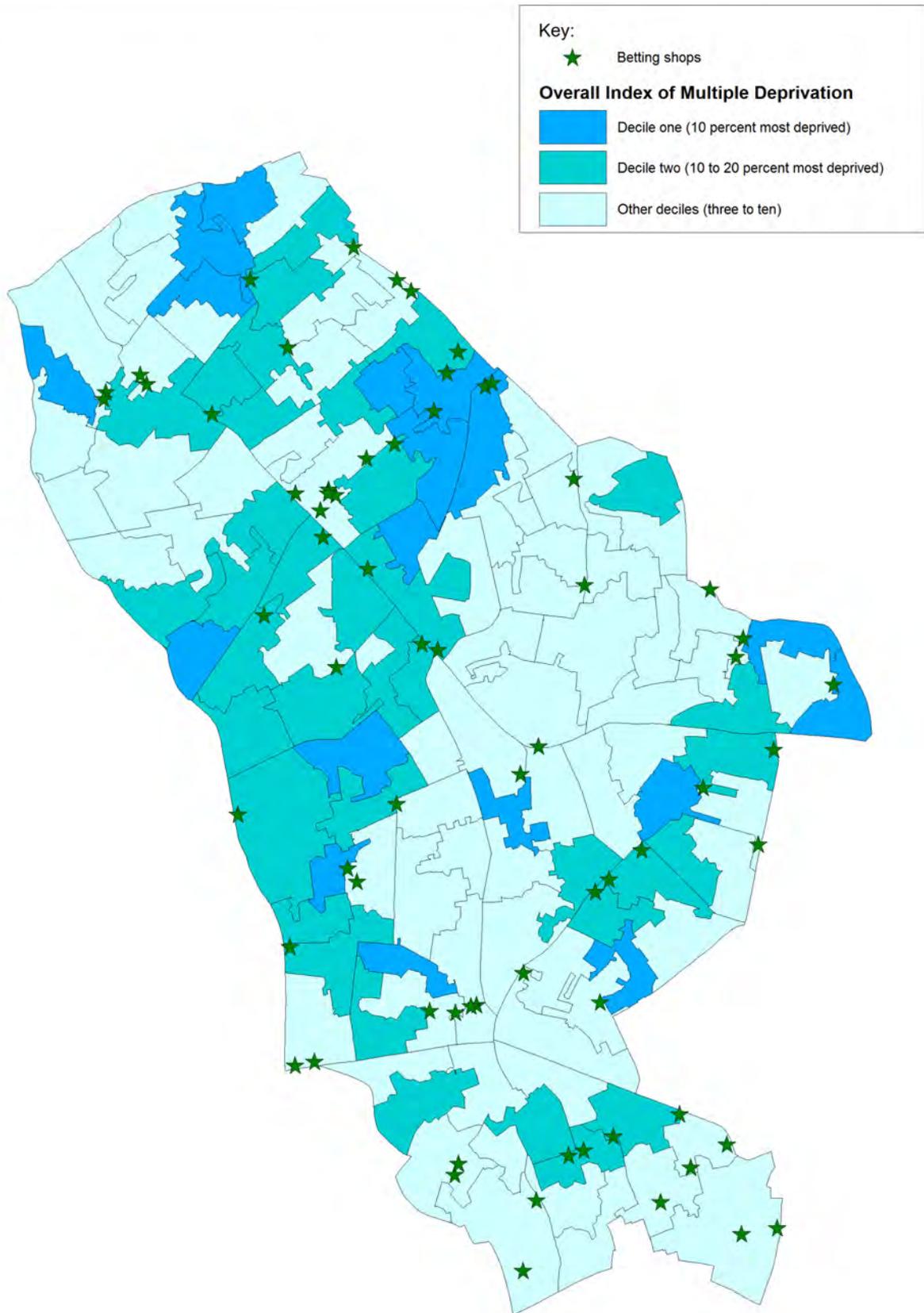
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Location and concentration of uses SPD

Map 8:



Map 9:



Location and concentration of uses SPD

Planning applications

- 7.36.** Taking into account the parameters of DMP policy DM4.3; the evidence and information detailed above; and the main objective of this SPD, there is specific guidance which can be applied to new planning applications coming forward for betting shop use.
- 7.37.** As well as new applications, this guidance may also apply to applications which intensify existing betting shop uses, e.g. through a change to an opening hours condition.

BS 1

When an application for a betting shop is received, various council departments and partner organisations will be consulted for comments on potential impacts and to source evidence and statistics (where possible).

- 7.38.** To enable full consideration of applications for new betting shops, information on potential impacts (both positive and negative) may be sourced from a number of departments within the council; and from organisations external to the council. This could include the council's Licensing department and/or Public Health team.

BS 2

All applications for betting shops should be accompanied by a completed Islington 'Planning for Health' self-assessment.

- 7.39.** The Islington 'Planning for Health' self-assessment form has been developed in conjunction with this SPD and is provided at Appendix 1. The aim of the self-assessment is to encourage applicants to fully consider the health impacts of their proposal, in particular how any negative impacts will be mitigated/prevented; and to ensure that case officers have sufficient information to assess the impacts of the application.
- 7.40.** Provision of a completed self-assessment does not preclude a requirement for a full HIA where potential health issues are identified.
- 7.41.** Applicants considering an application for new betting shops are advised to undertake pre-application discussions to determine the exact information requirements at the earliest possible stage.

BS 3

All applications for betting shops will be conditioned to require the display of information about debt advice services and gambling addiction charities.

- 7.42.** As discussed in paragraph 7.34, problem gambling is linked with more deprived areas. In order to mitigate any potential adverse impacts of a new betting shop, it is appropriate to put in place measures to help those people who may be heavily in debt and/or addicted to gambling.

- 7.43.** There are a number of organisations and charities who provide advice and support on debt issues and gambling addiction. A leading example is GamCare⁷³, a charity who offer support to individuals and the gambling industry. The latter involves training and materials to improve social responsibility and player protection.
- 7.44.** In response to the SPD preliminary consultation, the Association of British Bookmakers (ABB), the trade organisation representing 80% of the betting shop sector, indicated the willingness of betting shop operators to work pro-actively alongside various organisations, in order to tackle issues in communities.
- 7.45.** The Gambling Commission produces a set of licence conditions and codes of practice⁷⁴ applicable to all applications for betting shop licences. This includes a 'social responsibility' provision which requires betting shop operators to make information readily available to their customers on how to gamble responsibly and how to access information about, and help in respect of, problem gambling.
- 7.46.** By introducing a specific planning requirement for betting shops to display information about debt advice services and gambling addiction charities, this will ensure that people have a greater opportunity to be informed about such services and subsequently use them.
- 7.47.** The following wording is suggested for the condition: From the date of first operation of the betting shop use, up-to-date information about debt advice services and gambling addiction charities must be displayed at size A1 or larger, in a prominent position on the premises where it will be clearly visible to customers, in *[INSERT ALL LANGUAGES APPROPRIATE TO THE LOCATION]*, unless otherwise agreed in writing with the council.
- 7.48.** The council considers that such a condition is consistent with the tests set out in paragraph 206 of the NPPF.
- 7.49.** The council will develop and maintain an up-to-date list of debt advice services and gambling addiction charities which can be supplied to betting shops to assist with meeting the terms of the condition.
- 7.50.** If the council suspects a breach of the condition, or if an allegation of a breach is received, it will investigate and will seek to establish whether the required information is on display in a prominent position and is clearly visible. This may be achieved through further requests for evidence from the operator e.g. verifiable photographic evidence, copies of any information on display at the premises; and/or through site visits by council officers. There may also be scope to monitor compliance through the council's annual survey of planning permissions.
- 7.51.** For avoidance of doubt, this condition will not circumvent any requirement for advertising consent.

⁷³ Further information available from: <http://www.gamcare.org.uk/>

⁷⁴ Further information available from: <http://www.gamblingcommission.gov.uk/Publications-consultations/LCCP.aspx>

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- 7.52.** The council strongly encourage all new betting shops to seek Gamcare certification⁷⁵. This will help to demonstrate that betting shop operators are committed to high standards and socially responsible gambling.

BS 4

All applications for betting shops will be conditioned to require the betting shop operator to sign up to, and operate in compliance with, any scheme(s) which promote community safety and/or other good practice, as soon as practicably possible. Membership of any scheme should be maintained for as long as the use is in operation.

- 7.53.** Good practice schemes, notably those related to improving community safety, help to alleviate some of the most significant adverse impacts associated with betting shops; they help organisations to demonstrate that the service they offer meets certain standards and offer tangible criteria against which businesses can be assessed. Such schemes include the Safe Bet Alliance⁷⁶ operated by the ABB; this code of practice has involved consultation with the Metropolitan Police and other stakeholders, and aims to make betting shops a safer environment. As part of the Islington's statement of gambling policy⁷⁷, the council have also developed a non-binding list of best practice as a guide to assist both new applicants and current operators.
- 7.54.** The ABB have also launched a Code for Responsible Gambling and Player Protection. Although this has been subject to some criticism⁷⁸, it is nonetheless an existing scheme which has some tangible measures which could help to minimise harm.
- 7.55.** The fact that such schemes exist, and are operated by the leading industry trade organisation, suggests that they are an industry norm and could be considered a reasonable expectation. In their response to the SPD preliminary consultation, the ABB specifically noted that they were not complacent about problem gambling, which suggests that they would support measures to guarantee protection of gamblers and local communities.
- 7.56.** The following wording is suggested for the condition: The betting shop operator must join [*INSERT NAME OF SCHEME(S)*] within six months of the date of first operation of the betting shop use and comply with the requirements of the scheme thereafter. The betting shop operator must display up-to-date information about the scheme(s) at size A1 or larger in a prominent position on the premises where it will be clearly visible to customers, in [*INSERT ALL LANGUAGES APPROPRIATE TO THE LOCATION*], unless otherwise agreed in writing with the council.
- 7.57.** The council considers that such a condition is consistent with the tests set out in paragraph 206 of the NPPF.

⁷⁵ What is GamCare Certification?, information available from: <http://www.gamcare.org.uk/training-and-certification/gamcare-certification-0>

⁷⁶ Association of British Bookmakers, Safe Bet Alliance, information available from: <http://www.abb.uk.com/safe-bet-alliance/>

⁷⁷ Islington Council, op cit, see footnote 50

⁷⁸ The Guardian, David Cameron set to announce crackdown on gambling machines, 6 April 2014, available from: <http://www.theguardian.com/society/2014/apr/06/crackdown-gambling-fixed-odds-betting-terminals>

- 7.58.** A 6 month window gives some allowance to accommodate any resource implications which may affect applicants or the scheme facilitators. However, the council will encourage betting shop operators to sign up to any scheme(s) as soon as practicably possible. In certain circumstances, the council may explicitly require sign up to be achieved sooner.
- 7.59.** In terms of appropriate schemes, this will be discussed and specified at planning application stage.
- 7.60.** If the council suspects a breach of the condition, or if an allegation of a breach is received, it will investigate and will seek to establish whether the betting shop operator is signed up to a good practice scheme; is complying with the scheme requirements; and whether the required information is on display in a prominent position and is clearly visible. This may be achieved through further requests for evidence from the operator e.g. verifiable photographic evidence, copies of any scheme materials on display at the premises; and/or through site visits by council officers. There may also be scope to monitor compliance through the council's annual survey of planning permissions.
- 7.61.** For avoidance of doubt, this condition will not circumvent any requirement for advertising consent.

BS 5

All applications for betting shops should be accompanied by a Betting Shop Management and Operating Strategy.

- 7.62.** New betting shops can have adverse impacts in a number of areas, as detailed elsewhere in this SPD. The council seeks a commitment, from betting shop operators proposing new stores, to ensure that potential adverse impacts have been fully considered and measures have been put in place to prevent and/or mitigate impacts.
- 7.63.** Therefore, the council will seek submission of a Betting Shop Management and Operating Strategy alongside applications for new betting shops⁷⁹. The information that should be included is all standard information which also needs to be provided when the operator applies for a premises licence, and is therefore not considered onerous. It will ensure that the salient issues for the council to consider when assessing a planning application are packaged together in a single document, and that the applicant has given some consideration to these issues. Currently, this information is not consistently available for betting shop applications; whereas applications for other uses – such as hotels – are often accompanied by a management strategy in order to allow for proper consideration of all issues.
- 7.64.** The council is not currently proposing to introduce a template for the document to allow for individual circumstances to be accounted for, although there are a number of common

⁷⁹ This includes applications to vary conditions attached to an existing betting shop, such as amendment of opening hours.

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issues which the council expects to be addressed in each and every Betting Shop Management and Operating Strategy:

- Measures to prevent harmful impacts on vulnerable persons⁸⁰ must be considered. This could include details of self-exclusion schemes⁸¹ advertised in prominent locations within betting shops and staff training to help recognise vulnerable people and avoid exploitation.
- Measures should also be put in place to protect children from harm. This could include adequate arrangements for preventing underage gambling on their premises, such as use of a nationally recognised proof of age scheme and presence of registered door supervisors to monitor access to shops. This is especially important where a betting shop is proposed in close proximity to a secondary school or further education establishments.
- Appropriate security and staffing arrangements are integral to minimising adverse impacts often associated with betting shops. Details of proposed staffing levels – bespoke for each application linked to proposed hours of operation - and staff training could be provided, in addition to details of any proposed CCTV/alarm systems; as a rule, the council would expect lone staffing of betting shops to be explicitly ruled out, due to the potential increased vulnerability to crime and anti-social behaviour and also due to the potential for adverse impact on implementation of other security and access measures – e.g. restricting underage gambling.
- Measures to tackle crime and anti-social behaviour should be put in place. Betting shops are commonly associated with adverse impacts such as street drinking, urinating in the street, litter and obstruction of the public highway. Such issues, especially where they occur on a regular basis, can adversely affect residential amenity and/or vitality and viability of retail areas. Examples of measures to prevent such impacts arising could include adequate provision of litter bins and toilet facilities on the premises.

7.65. The Betting Shop Management and Operating Strategy should also consider any other potential impacts on vitality, viability, character, amenity, function and health and wellbeing.

7.66. There should also be some cross-reference to the Islington 'Planning for Health' self-assessment sought under guidance point BS 2, i.e. if the self-assessment identifies potential adverse impacts, the Betting Shop Management and Operating Strategy should identify measures to prevent these impacts from arising or mitigate them.

⁸⁰ The term 'vulnerable persons' is not defined in statute; guidance produced by the Gambling Commission offers the following definition: people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

⁸¹ Self-exclusion is when you can ask a gambling company or operator to stop you from gambling with them for an amount of time. Further information is available at: <http://www.gamblingcommission.gov.uk/FAQs/Problem-gambling/What-is-self-exclusion.aspx>

- 7.67.** The council propose to put an informative note on any permitted betting shop to confirm that the application was permitted based on the information given in the submitted Betting Shop Management and Operating Strategy. However, in appropriate circumstances, individual elements of the Betting Shop Management and Operating Strategy may be secured by full planning condition to guarantee compliance.

8 Payday loan shops

Background

- 8.1.** A payday loan is a high interest loan intended to provide an interim solution to short-term personal cash flow problems. Payday loans are generally intended to be paid back within a short period of time, typically one or two months. They can be accessed online or in outlets situated in high streets and shopping parades. Commonly, high street payday loan shops offer other services, including pawnbroker facilities or the buying/selling of second hand goods.
- 8.2.** In planning use class terms, a shop whose primary function is the provision of payday loans would be classed as a 'Sui Generis' use. Where shops have a dual function offering payday loans and other more retail-esque services (e.g. pawnbrokers) they can fall within the A1 use class, although use class is ultimately determined on a case-by-case basis.
- 8.3.** As detailed in Appendix 3, changes outside of the planning system are the primary method of achieving reform of the payday lending market to benefit consumers. However, there is no guarantee that the regulatory changes proposed by the Government will result in less pressure for physical units on the high street. Planning can encompass additional considerations than bodies such as the Financial Conduct Authority, e.g. impact on health, retail character and function. Therefore, it is appropriate to utilise planning measures which enable a more robust assessment of payday loan shops.
- 8.4.** The Government's recent changes to the UCO, referred to in paragraph 2.6 above, suggests that they have concerns about the potential impact of payday loan shops, and that planning has a distinct role in assessing each and every payday loan shops.
- 8.5.** Planning can help to limit the potentially harmful growth of payday loan shops in the borough by resisting such uses where they will result in an over-concentration and could impact on the amenity, character and/or function of an area. Payday loan shops are not a retail use⁸², although they can have certain characteristics – e.g. provision of an active frontage similar to a retail unit; additional services such as pawnbrokers, jewellery sales, etc. – which have led to them being termed 'quasi-retail'. Nevertheless, the over-concentration of payday loan shops in areas which are predominantly retail in character could adversely impact the continued health and sustainability of such areas.
- 8.6.** Planning is generally focused on specific impacts on amenity, character, function, vitality, viability and health and wellbeing, as discussed in section 5.
- 8.7.** The main features of payday lending which fuel so much of the debate about adverse impacts - in particular the high interest rates charged - are not in themselves a planning consideration; however, other impacts – such as the impact on the sustainable economic development of the borough - could be a valid material consideration. These impacts are not discussed further in this SPD, but the council may bring in specific research and analysis on a case-by-case basis when assessing future applications for payday loan shops.

⁸² See Appeal Ref: APP/V5570/A/13/2206459, 63 Seven Sisters Road, Islington, N7 6BH, decision dated 19 March 2014

- 8.8. Further discussion of specific aspects of the payday loan shops, and links to relevant evidence, is provided in Appendix 3.

Payday lending in Islington

- 8.9. Islington Council have undertaken an assessment of payday loan premises in the borough. The baseline information was sourced from site surveys, information from the Islington Payday Lenders Working Group and the store locator function on the websites of several payday lenders.
- 8.10. In order to compare our position to other local authorities, the council have sourced information from the Bureau of Investigative Journalism (BIJ), who have conducted a detailed investigation⁸³ into the payday lending industry and have produced figures showing the number of payday lenders in each district of Great Britain⁸⁴.
- 8.11. This information focuses on the seven largest national payday lender chains⁸⁵ and only includes branches that offer short term loans of one year or less; it does not include hundreds of smaller and independent operations. In the case of national pawnbroking companies, the BIJ data only includes those branches that offer payday loans.
- 8.12. This information is therefore likely to under-report on the number of payday loan shops across the country. However, it is still useful in aiding diagnosis of particular issues, including whether Islington has a relatively high amount of payday loan shops.
- 8.13. The council's assessment shows that there are currently 8 payday loan shops in the borough⁸⁶. In terms of the absolute number of payday loan shops, this is not a particularly significant amount compared with other local authorities; however, in terms of the number of payday loan shops per hectare, **this is the fourth largest figure of all local authorities in Great Britain**, behind the London Boroughs of Hammersmith & Fulham, Lewisham and Southwark.
- 8.14. Given that Islington is the most densely populated borough in the UK, such significant concentration of payday loan shops per hectare means that a large number of Islington residents will be in close proximity to a payday loan shop and may make over-concentration more likely.
- 8.15. The results of the survey have been mapped to visualise the location and concentration of payday loan shops in Islington. **Map 10** shows the number of payday loan shops in the

⁸³ The Bureau of Investigative Journalism, High Cost Credit UK: One short-term lender for every seven banks on the high street, information available from: <http://www.thebureauinvestigates.com/2014/03/12/uk-one-short-term-lender-for-every-seven-banks-on-the-high-street/>

⁸⁴ Information available from: <http://cf.datawrapper.de/jIUOK/1/>.

⁸⁵ Cash Generator, Cash Converters, the Money Shop, Cheque Centre, H & T, Oakam and Speedy Cash

⁸⁶ The Bureau of Investigative Journalism data shows Islington have 5 payday loan shops; we have used our own more detailed survey information to give the Islington figure used in this SPD.

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borough⁸⁷. The boundaries for Islington's Town Centres and Local Shopping Areas are shown for context.

- 8.16.** As the map shows, there is a specific concentration – half of the total payday loan shops in the borough - along Seven Sisters Road in Nag's Head and Finsbury Park Town Centres. All payday loan shops in the borough are within a designated retail area.
- 8.17.** Map 11 shows the number of payday loan shops in the borough with a 500m buffer zone to highlight potential areas where development of additional payday loan shop(s) may lead to an over-concentration of these uses⁸⁸.
- 8.18.** **The map highlights the south-western end of Seven Sisters Road in Nag's Head Town Centre as a particular area of concern regarding potential over-concentration of payday loan shops.** This coincides with two of the most deprived areas in the borough, as shown on **Map 12** below.
- 8.19.** Taking into account the guidance on over-concentration risk established in section 5; and the risk scenarios set out in Appendix 2, **all applications for payday loan shops in this area will be robustly assessed, with particular regard had to potential adverse impacts on character, function, vitality, viability, amenity and health & wellbeing.**
- 8.20.** As discussed in paragraph 5.6, assessment of over-concentration is not limited to the specific use in question (in this case payday loan shops); betting shops can have similar adverse impacts to payday loan shops, particularly a potential increase in incidences of severe debt⁸⁹. Where there are other relevant similar uses within a 500m radius of a site, these should form part of any assessment of over-concentration. With regard to betting shops, map 7 and paragraph 7.30 identify Nag's Head as an area of concern regarding the existing concentration of betting shops; Nag's Head is also an area of concern in relation to the concentration of payday loan shops, as noted in paragraph 8.18. This amplifies the potential for adverse cumulative impacts in this area arising from over-concentration of these similar uses.
- 8.21.** **Map 12** shows the number of payday loan shops in the borough overlaid onto borough deprivation mapping from the IMD 2015 (overall score). Several payday loan shops in the borough coincide with some of the most deprived areas in the borough (based on IMD overall score). The IMD score is formulated in part by the level of income deprivation, which is measured by the proportion of people who are dependent on means-tested benefits. Surveys of payday lending customers undertaken by TNS BMRB⁹⁰ in 2014 highlighted that payday lending customers are more likely to live in deprived areas; and that payday lending customers are more likely to show signs of credit and debt problems.
- 8.22.** The Town Centres SPG – in paragraph 1.2.37 - refers to perceived correlation between the number of pay day loan outlets and the level of deprivation of an area.

⁸⁷ This map is a 'snapshot' to give an idea of the location and concentration of payday loan shops. Updated survey and mapping may be produced on a case-by-case basis to ascertain an accurate picture to assist with determination of planning applications.

⁸⁸ Payday loan shops in adjacent boroughs should also be taken into account – see paragraph 5.11.

⁸⁹ Impacts of betting shops and payday loan shops are discussed in more detail in Appendix 3.

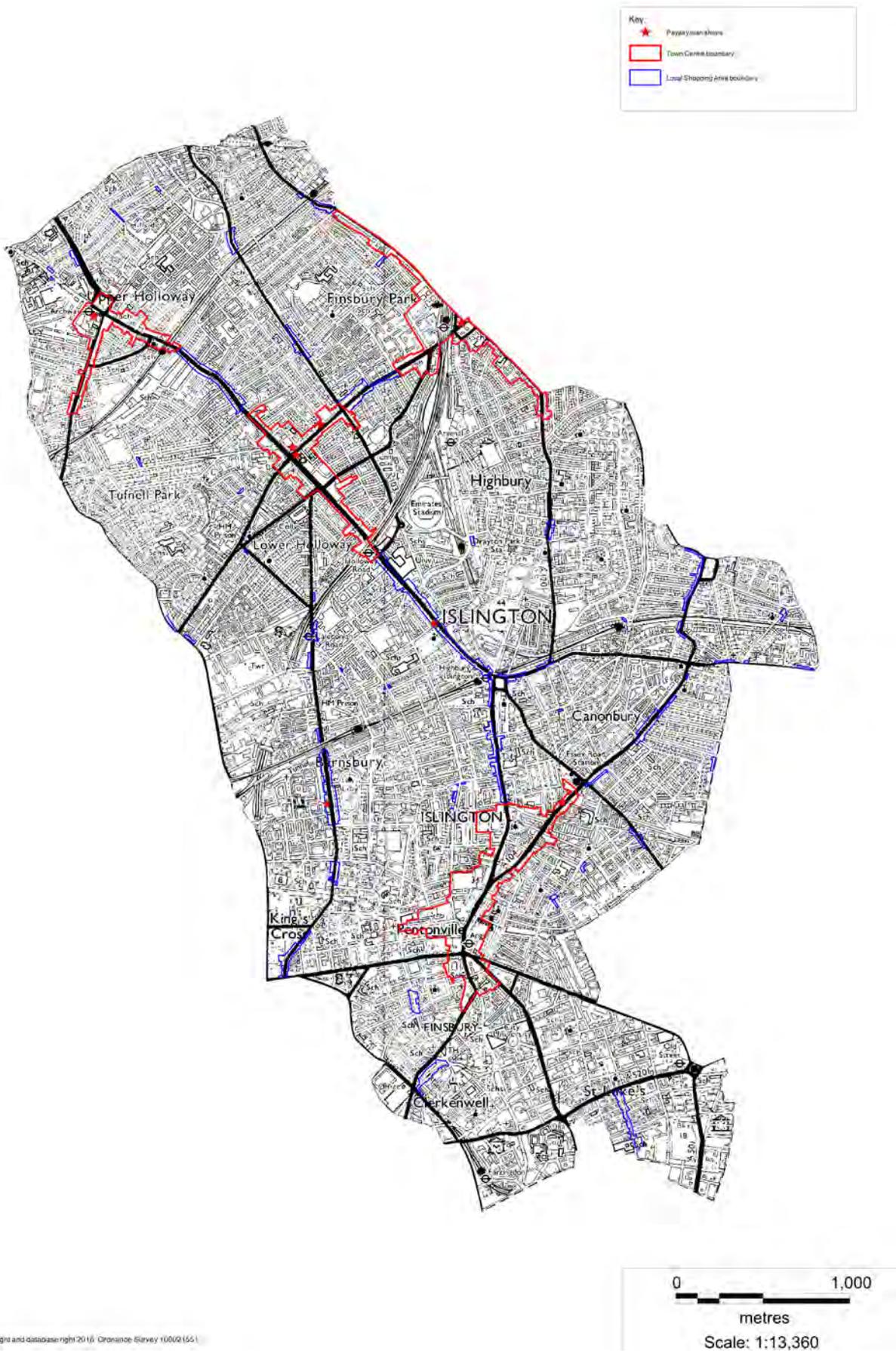
⁹⁰ Research into the payday lending market, TNS BMRB, January 2014, available from: https://assets.digital.cabinet-office.gov.uk/media/5329df8aed915d0e5d000339/140131_payday_lending_tns_survey_report_.pdf

- 8.23.** Payday loans are likely to be more attractive to those on low incomes who need to meet short-term shortfalls in cash flow; and also unemployed people (i.e. those without a 'payday')⁹¹. Therefore, the existence of multiple payday loan shops in more deprived areas (based on IMD scores), suggests a greater likelihood of payday loan usage and therefore a greater potential for Islington residents to fall into debt. Debt is linked to a greater risk of health impacts, particularly mental health issues (which evidence has suggested can be exacerbated by increased level of personal debt⁹²).

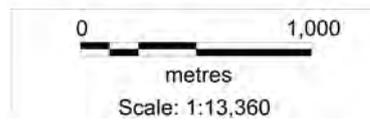
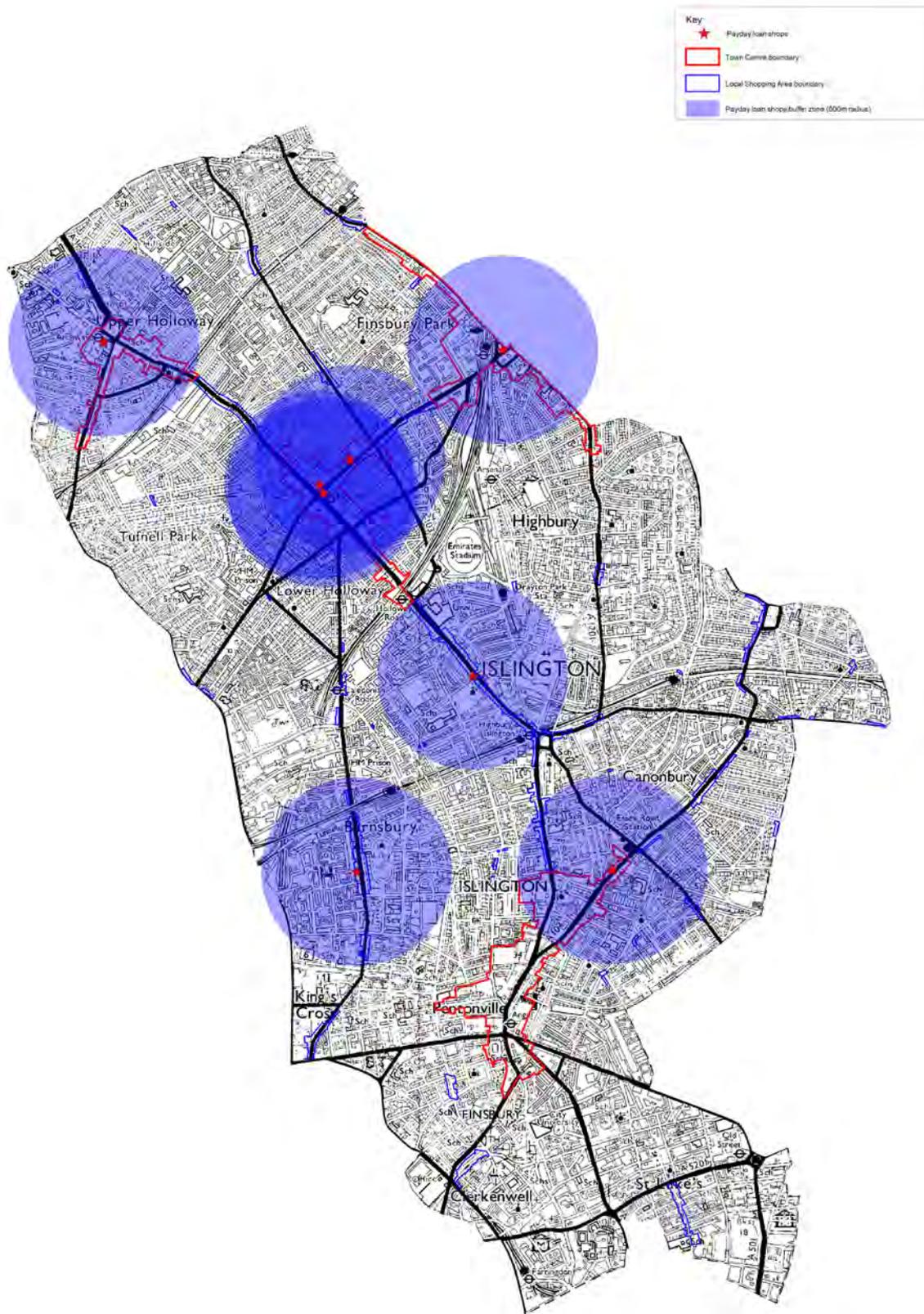
⁹¹ Competition and Markets Authority, Payday lending market investigation: Final report, 24 February 2015, available from: https://assets.digital.cabinet-office.gov.uk/media/54ebb03bed915d0cf7000014/Payday_investigation_Final_report.pdf

⁹²The Centre for Social Justice, Maxed Out: Serious personal debt in Britain: A policy report by the CSJ Working Group, November 2013, available from <http://www.centreforsocialjustice.org.uk/publications/maxed-out>

Map 10

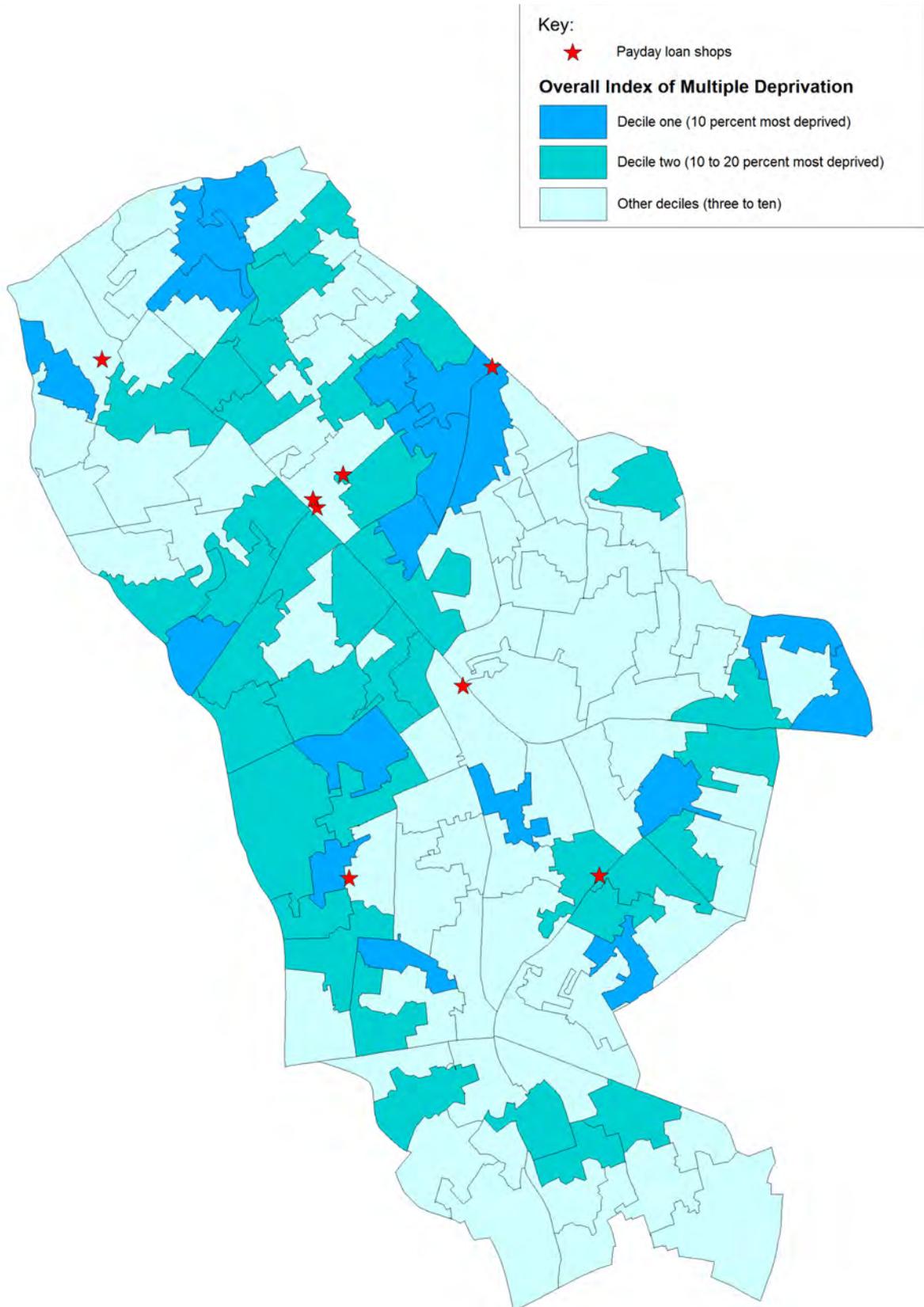


Map 11



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Map 12



Planning applications

- 8.24.** Taking into account the parameters of DMP policy DM4.3; the evidence and information detailed above; and the main objective of this SPD, there is specific guidance which can be applied to new planning applications coming forward for payday loan shop use.
- 8.25.** As well as new applications, this guidance may also apply to applications which intensify existing payday loan shop uses, e.g. through a change to an opening hours condition.

PDL 1

When an application for a payday loan shop is received, various council departments and partner organisations will be consulted for comments on potential impacts and to source evidence and statistics (where possible).

- 8.26.** To enable full consideration of applications for new payday loan shops, information on potential impacts (both positive and negative) may be sourced from a number of departments within the council; and from organisations external to the council. This could include the Islington Debt Coalition Payday Lenders Working Group and the council's Public Health team.

PDL 2

All applications for payday loan shops should be accompanied by a completed Islington 'Planning for Health' self-assessment.

- 8.27.** The Islington 'Planning for Health' self-assessment form has been developed in conjunction with this SPD and is provided at Appendix 1. The aim of the self-assessment is to encourage applicants to fully consider the health impacts of their proposal, in particular how any negative impacts will be mitigated/prevented; and to ensure that case officers have sufficient information to assess the impacts of the application.
- 8.28.** Provision of a completed self-assessment does not preclude a requirement for a full HIA where potential health issues are identified.
- 8.29.** Applicants considering an application for new payday loan shops are advised to undertake pre-application discussions to determine the exact information requirements at the earliest possible stage.

PDL 3

All applications for payday loan shops will be conditioned to require the payday loan operator to display information about debt advice services and local credit unions.

- 8.30.** Debt advice services are an important service and can be a lifeline to those people who are unaware of what credit options are available to them, or those who are stuck in a cycle of debt. By requiring payday loan shops to display information about debt advice services,

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this will ensure that people have a greater opportunity to be informed about such services and subsequently use them.

- 8.31.** Local credit unions offer access to more sustainable and low-cost lending, although it is acknowledged that there are membership requirements which limit access to funds for some. However, the display of information about credit unions allows people to fully consider their lending options. The Consumer Finance Association (CFA), the principal trade association representing payday lending businesses operating in the UK, referenced similar activity in response to the SPD preliminary consultation:

"[S]ome of our members are actively working with their local credit unions to share expertise and the CFA has produced a consumer guide, urging potential payday loan customers to "pause and think" before borrowing."

- 8.32.** The following wording is suggested for the condition: From the date of first operation of the payday loan use, up-to-date information about debt advice services and local credit unions must be displayed at size A1 or larger in a prominent position on the premises where it will be clearly visible to customers, in *[INSERT ALL LANGUAGES APPROPRIATE TO THE LOCATION]*, unless otherwise agreed in writing with the council.

- 8.33.** The council considers that such a condition is consistent with the tests set out in paragraph 206 of the NPPF.

- 8.34.** The council will develop and maintain an up-to-date list of debt advice services and local credit unions which can be supplied to payday loan shops to assist with meeting the terms of the condition.

- 8.35.** If the council suspects a breach of the condition, or if an allegation of a breach is received, it will investigate and will seek to establish whether the required information is on display in a prominent position and is clearly visible. This may be achieved through further requests for evidence from the payday loan operator e.g. verifiable photographic evidence, copies of any information on display at the premises; and/or through site visits by council officers. There may also be scope to monitor compliance through the council's annual survey of planning permissions.

- 8.36.** For avoidance of doubt, this condition will not circumvent any requirement for advertising consent.

PDL 4

All applications for payday loan shops will be conditioned to require the payday loan operator to sign up to, and operate in compliance with, a good practice scheme(s) as soon as practicably possible. Membership of any scheme should be maintained for as long as the use is in operation.

- 8.37.** Good practice schemes enable payday loan organisations to demonstrate that the service they offer meets certain standards and offer tangible criteria against which these organisations can be assessed. The most high profile scheme is the good practice

customer charter⁹³ launched in 2012 by the four main payday lending trade bodies. The fact that various industry bodies advocate sign-up to a specific scheme demonstrates that the requirement is an industry norm and could be considered a reasonable expectation.

- 8.38.** The following wording is suggested for the condition: The payday loan operator must join [*INSERT NAME OF SCHEME(S)*] within six months of the date of first operation of the payday loan use and comply with the requirements of the scheme thereafter. The payday loan shop operator must display up-to-date information about the scheme(s) at size A1 or larger in a prominent position on the premises where it will be clearly visible to customers, in [*INSERT ALL LANGUAGES APPROPRIATE TO THE LOCATION*], unless otherwise agreed in writing with the council.
- 8.39.** The council considers that such a condition is consistent with the tests set out in paragraph 206 of the NPPF.
- 8.40.** A 6 month window gives some allowance to accommodate any resource implications which may affect applicants or the scheme facilitators. However, the council will encourage payday loan shop operators to sign up to any scheme(s) as soon as practicably possible. In certain circumstances, the council may explicitly require sign up to be achieved sooner.
- 8.41.** In terms of what schemes are appropriate, this will be discussed and specified at planning application stage.
- 8.42.** If the council suspects a breach of the condition, or if an allegation of a breach is received, it will investigate and will seek to establish whether the payday loan shop operator is signed up to a good practice scheme; is complying with the scheme requirements; and whether the required information is on display in a prominent position and is clearly visible. This may be achieved through further requests for evidence from the operator e.g. verifiable photographic evidence, copies of any scheme materials on display at the premises; and/or through site visits by council officers. There may also be scope to monitor compliance through the council's annual survey of planning permissions.
- 8.43.** For avoidance of doubt, this condition will not circumvent any requirement for advertising consent.

PDL 5

All applications for payday loan shops will be conditioned to require the payday loan operator to display information about their interest rates, fees and charges.

- 8.44.** One of the common criticisms of payday loan operators is that their interest rates, fees and charges (both individually and combined) are often excessive and not well publicised. New legislation has imposed a requirement for a cap on the total cost of payday loans⁹⁴ but it is important that people who are considering taking out a payday loan do so in full knowledge of the total amount they will pay. Having this information displayed in payday

⁹³ Available from: http://www.ccta.co.uk/admindocs/codes_of_practice/2015_good_practice_customer_charter.pdf

⁹⁴ See Appendix 3 for more details

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loan shops will help to inform customers of the costs of payday loans, and, in conjunction with other guidance points in this SPD, will offer stronger protection for customers. The council expects this information to include examples of costs based on different loan amounts over different amounts of time.

- 8.45.** The following wording is suggested for the condition: From the date of first operation of the payday loan use, up-to-date information about interest rates, fees and charges must be displayed at size A1 or larger in a prominent position on the premises where it will be clearly visible to customers, in *[INSERT ALL LANGUAGES APPROPRIATE TO THE LOCATION]*, unless otherwise agreed in writing with the council.
- 8.46.** The council considers that such a condition is consistent with the tests set out in paragraph 206 of the NPPF.
- 8.47.** If the council suspects a breach of the condition, or if an allegation of a breach is received, it will investigate and will seek to establish whether the required information is on display in a prominent position and is clearly visible. This may be achieved through further requests for evidence from the operator e.g. verifiable photographic evidence, copies of any information on display at the premises; and/or through site visits by council officers. There may also be scope to monitor compliance through the council's annual survey of planning permissions.
- 8.48.** For avoidance of doubt, this condition will not circumvent any requirement for advertising consent.

9 Monitoring

9.1. The council will monitor the success of DMP policy DM4.3 in its Authorities Monitoring Report, which is generally produced on an annual basis. The DMP identifies a specific monitoring indicator for policy DM4.3:

Indicator ref	Indicator	Target/milestone/success factor
DM4.3.1	Number of applications refused on the grounds of concentration of similar uses: (i) upheld at appeal; (ii) dismissed at appeal.	No target
DM4.3.2	Number of applications for A5 use approved within 200 metres of primary or secondary schools.	0

9.2. In addition to this identified indicator, the council may introduce further indicators - particularly contextual indicators - to monitor changes which could indicate successful implementation of the SPD guidance.

Appendix 1 – Islington ‘Planning for Health’ self-assessment

The ‘Planning for Health’ self-assessment form has been developed using the existing NHS London Healthy Urban Development Unit ‘Watch Out for Health’ checklist; and existing HIA screening documentation developed by the council.

The self-assessment form should be completed and submitted alongside all planning applications (including pre-applications where information is available) for hot food takeaways, betting shops and payday loan shops, in line with guidance points HFT 2, BS 2 and PDL 2 of the SPD.

Where applicants provide this information at the earliest possible stage, the council will then have a fuller picture of health impacts which can then inform planning decisions, or, if specific impacts are identified, the council can then work with the applicant and other relevant stakeholders to ensure that these impacts are either fully realised (in case of positive impacts) or are properly mitigated or prevented (in the case of negative impacts).

The self-assessment form is split into three areas which reflect key policy areas generally associated with these three specific uses. Not all of these will be relevant to every planning application, although applicants are encouraged to think holistically about their proposals and its potential impacts. The following key questions will help to identify whether the proposal will have a positive, neutral or negative health impact. These questions are a basic example of the type of questions which applicants should consider, in order to ensure health impacts are fully understood. Further questions specific to an application may be generated through discussions with the council.

Applicants are encouraged to familiarise themselves with the SPD and relevant Development Plan policies before completing the self-assessment.

The purpose of this form is to act as a light-touch initial assessment to identify any health impacts which may arise. This may lead to a requirement for a full HIA.

Theme	Relevant to use? (tick as applicable)			Key health Issue and example questions to consider	Applicant Response
	HFT	BS	PDL		
Reducing crime				<p>Issue: Crime (and fear/perception of crime) and anti-social behaviour can have significant adverse impacts on physical and mental wellbeing. Over-concentration of certain uses, and location of certain uses in sensitive areas, can exacerbate crime and anti-social behaviour.</p> <p>Questions: Has practicality of securing relevant licensing permission been investigated?</p> <p>Have any measures to prevent crime and anti-social behaviour – e.g. CCTV, security staff – been proposed?</p>	
Healthy food				<p>Issue: Ensuring access to healthy food is important as it can help to improve diets, reduce instances of obesity and can improve physical activity and social cohesion.</p> <p>Questions: Does the proposal encourage and promote access to fresh food?</p> <p>Are you proposing to sign up to the Healthy Catering Commitment? If not, what (if any) measures have you taken to ensure provision of healthier food?</p> <p>Can you provide a sample menu?</p>	

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Local amenity		<p>Issue: Amenity is qualitative measure of the level of wellbeing and enjoyment generated in an area through various means. There are certain common issues which can affect the amenity of different areas, such as introduction of uses which increase the level of noise, anti-social behaviour and/or disturbance</p> <p>Questions: Does the proposal promote recycling and waste reduction?</p> <p>How will you mitigate littering by your customers?</p> <p>Has the impact on local highways been considered? If not, are there any aspects of the development which could cause adverse impacts?</p> <p>Does the proposal mitigate odours from extraction systems?</p> <p>How will you control potential noise impacts including a) deliveries/waste collection and b) noise from people gathering outside the premises?</p>	
Conclusion			
Is the proposal overall considered to have a positive, negative or neutral impact on health? If negative, please summarise proposed mitigation measures.			

Appendix 2 – Scenario Assessment Table⁹⁵

As detailed in section 5, the scenario assessment table is provided to aid identification of common issues which can cause adverse impacts.

Amenity			
	Low risk	Medium risk	High risk
The area has a mix of commercial and residential uses	The proposed use is not noise generating (there is no observed effect level); and will not lead to, or exacerbate, adverse impacts from e.g. opening hours, odours.	The proposed use is noise generating towards the mid-range of noise exposure categories and/or lowest observed adverse effect level; and/or could potentially increase adverse impacts, although this should be controllable through condition and/or other mitigation measures.	The proposed use is noise generating towards the mid/high-range of noise exposure categories and/or lowest/significant observed adverse effect level; and is very likely to cause adverse impacts which cannot be suitably mitigated.
The area has a number of primary and secondary retail frontages	The proposed use is A1 and does not impact the amenity of nearby businesses, e.g. by impacting on ability of these businesses to operate effectively.	The proposed use is not A1 but does not involve loss of any existing A1; and will create a use which may impact the amenity of the predominantly A1 businesses in the area, e.g. impact on visual amenity through increased litter, which affects ability to attract shoppers to centre.	The proposal involves loss of A1; and will create a use which is very likely to impact the amenity of the predominantly A1 businesses in the area, e.g. impact on visual amenity through increased litter, which affects ability to attract shoppers to centre.
Character and Function			
	Low risk	Medium risk	High risk
Area has A1-retail character and function	Applications for A1; or uses akin to A1 which do not involve loss of existing A1.	Applications for non-A1 uses which do not involve loss of existing A1; and do not cause individual or cumulative adverse impacts on	Applications involving the loss of A1 or the introduction of uses which would individually or cumulatively adversely affect A1 retail character and function.

⁹⁵ To reiterate, these scenarios and risk categorisations are purely indicative and are intended to act as a guide to inform further assessment

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<p>Area has café/restaurant character and function</p>	<p>Applications for A3; or uses akin to A3 - e.g. A1 coffee shops - which do not involve loss of existing A3 use(s)</p>	<p>A1 retail character and function</p> <p>Applications for non-A3 uses which do not involve loss of existing A3; and do not cause individual or cumulative adverse impacts on A3 café/restaurant character and function.</p>	<p>Applications involving the loss of A3 or the introduction of uses which would individually or cumulatively adversely affect A3 retail character and function.</p>
<p>Area has residential character and function</p>	<p>Application for dispersed A1 which would not result in any medium/large concentration of A1 uses; and which would interact harmoniously with residential uses.</p>	<p>Applications for non-A1 dispersed A-uses which are conditioned to prevent/minimise adverse impacts.</p>	<p>Applications for uses which change the function of the area from shops of a dispersed nature to a larger collection of commercial units, and thereby increase the likelihood of impacts on residential amenity that cannot be mitigated.</p>

Health and wellbeing

	Low risk	Medium risk	High risk
<p>Impact on walking and cycling</p>	<p>Site is readily accessible by cycle and on foot, and has appropriate cycle parking facilities.</p>	<p>There are some difficulties accessing site by cycle or on foot (e.g. only one entrance point with lack of site permeability) but measures have been proposed to mitigate these issues to some degree; and an appropriate amount of cycle parking has not been provided.</p>	<p>Site is in an area with difficult pedestrian and cycle access; insufficient measures to facilitate walking and cycling access.</p>
<p>Effect on access to unhealthy foods</p>	<p>Application will increase access to healthy food; and is located in an area with good access to fresh food (i.e. at markets and local convenience stores).</p>	<p>Application involves loss of healthy/fresh food provision in an area which has otherwise adequate access to healthy/fresh food; and/or proposes a hot food takeaway in an area with one other similar existing use within a 500m</p>	<p>Application would increase provision of unhealthy food, or decrease provision of fresh food (e.g. through loss of convenience retailing); is located in 'food desert' where access to fresh food (i.e. at markets and local convenience stores) is limited; and there are 2+ A5 hot food takeaways and/or non-A5 uses with a</p>

		radius of the application site.	takeaway element within 500m radius of the site.
Noise impacts	Proposal would not lead to individual noise impacts when measured against relevant technical noise criteria; and does not add to any existing noise impacts.	Proposal would have some individual or cumulative noise impacts, but is within mitigation range.	Proposal would lead to significant individual or cumulative noise impacts
Air pollution	Proposal does not exacerbate air pollution impacts and has measures to mitigate existing air pollution.	Proposal will cause slight adverse impacts on air pollution; and/or will be specifically affected by existing air pollution but has specific mitigation measures which will alleviate to some degree.	Proposal will cause significant adverse impacts on air pollution; and/or will be specifically affected by air pollution but has no specific mitigation measures.

Appendix 3 – Additional background information

General

In addition to the documents identified in section 4, there are various additional guidance documents, reports and studies which are relevant to this SPD:

- **Public Health in Planning: Good Practice Guide (July 2015):** the Town and Country Planning Association were commissioned by the London Borough of Merton to produce this guide to bring together and signpost to existing guidance on the planning process; and highlight existing good practice examples and first-hand advice from councils in varying levels of working relationship between public health and planning.
- **Health Building Note 00-08 Addendum 2 – A guide to town planning for health organisations (March 2015):** this guide, produced by the Department of Health, is principally to help health organisations and public health teams to understand how the town planning process works. However, it serves as a useful overview of the importance of planning as a means to address the wider determinants of health; and to improve health services and infrastructure to meet changing healthcare needs. The guide highlights the importance of close working between local planning authorities and health professionals, so that every opportunity is taken to ensure that health and wellbeing issues are embedded within Local Plans and taken into account in reaching decisions on planning applications.
- **Health on the High Street (March 2015):** this report produced by the Royal Society for Public Health (RSPH) sets out the twin goals of creating a health promoting high street whilst stimulating investment in local economies. The report identifies fast food takeaways, bookmakers and payday lenders as the least health promoting types of business based on the RSPH 'Richter scale of health' ranking system; and provides detailed commentary and evidence to reinforce the reasons why these uses are considered unhealthy. This ranking system is also applied to high streets across the UK, with particularly detailed assessment in London. Two of Islington's high streets are ranked amongst the unhealthiest in London⁹⁶; Finsbury Park (ranked 8th unhealthiest out of 144 London high streets) and Archway (ranked 31st unhealthiest out of 144 London high streets). The report sets out a number of recommendations including the introduction of planning controls to prevent proliferation of betting shops, payday lenders and fast food outlets; promoting healthier cooking methods in fast food outlets; and signposting to a wide range of support charities in high street businesses.
- **Widening the focus: tackling health inequalities in Camden and Islington - Annual Public Health Report 2013/14:** this is the first annual report published by Camden and Islington Public Health following the transfer of responsibility for public health to local authorities in April 2013. The report makes recommendations to help reduce health inequalities; this includes a recommendation that Camden and Islington Councils should use their planning powers to support the development of 'healthy high streets'. Specifically, the report suggests restricting the opening of additional fast food outlets in areas where there is already a high density of such uses, and taking action to reduce the number of betting shops and payday loan establishments, to reduce debt.

⁹⁶ Mapping of Richter scale of health rankings can be viewed at: <http://www.theguardian.com/uk-news/2015/mar/26/report-britains-unhealthiest-high-streets>

- **Islington's Health Inequalities Strategy (June 2010):** this strategy was developed as part of Islington's commitment to reducing inequalities and improving health outcomes for the population as a whole as well as the communities in Islington with the greatest health needs. Section 3 of this strategy is useful for establishing key determinants for various health impacts.
- **The London Health Inequalities Strategy (April 2010):** the Greater London Authority Act 2007 requires that the Mayor sets out the health inequalities facing London, the priorities for reducing them and the role to be played by a defined list of key partners in order to deliver the strategy's objectives. The strategy sets out a number of strategic objectives, with associated actions and commitments identified to help deliver them.
- **Delivering Healthier Communities in London (July 2007):** This document, published by the NHS London Healthy Urban Development Unit, provides a detailed evidence base of the links between spatial planning and public health.
- **Health Issues in Planning Best Practice Guidance (June 2007):** this document complements London Plan policy 3.17 and provides guidance on how planning can tackle health inequalities and promote healthy development. Planners and development professionals are required to consider health in its broadest sense, including social and psychological elements such as wellbeing and fulfilment, which can be positively influenced by spatial planning processes. Although this guidance was produced in 2007, its principles are still a relevant consideration for this SPD as noted in the London Plan paragraph 3.10A. The guidance refers to HIAs - as discussed by other more up-to-date local and London-wide policies – and also the wide range of direct and indirect linkages between health and planning.
- **Managing the night time economy Best Practice Guidance (March 2007):** this document looks at the positive and detrimental impacts that the night time economy can have. Anecdotally, night time economy uses have a higher prevalence of adverse impacts, due largely to the nature of such uses and particular association with noise, disturbance and anti-social behaviour. The Town Centres SPG has encapsulated the core principles of this guidance and retains some elements verbatim in Appendix A. However, because of the potentially greater chance of adverse impacts stemming from night time economy uses, the guidance remains useful as a reference point alongside the SPG and other material.
- **Islington's Evidence Hub⁹⁷** provides useful background information on a variety of subjects including health in the borough. The Health and Wellbeing section contains the most recent analyses of the health status of Islington residents. This information could be used when assessing planning applications, depending on the specific circumstances of each application.

Hot food takeaways

There are a number of relevant reports, studies and other publications which underpin the council's proposed guidance for hot food takeaways, which is set out in section 6 of the SPD. Of particular relevance are the following:

- **Better Health for London (October 2014):** this report, produced by the London Health Commission at the behest of the Mayor of London, considers a number of health impacts

⁹⁷ Islington Evidence Hub, information available from: <http://evidencehub.islington.gov.uk/Pages/HomePage.aspx>

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affecting London and makes recommendations to address these. Recommendation 14 implores the Mayor to provide stronger support for boroughs to put in place local policies which limit new fast food takeaways (use class A5) within 400m of the boundary of any school. In addition, the report states that a future London Plan should shift the burden of proof so that new fast food takeaways within 400 metres (10 minutes walk) of schools will have to provide evidence that their establishment will not have an adverse impact on health.

- **Healthy people, healthy places briefing, Obesity and the environment: regulating the growth of fast food outlets (March 2014):** this briefing, produced by Public Health England in conjunction with the Local Government Association and the Chartered Institute of Environmental Health has a specific focus on the issue of hot food takeaways in close proximity to schools, and how this influences the food choices (and future diets) of children.
- **NHS London Healthy Urban Development Unit (HUDU) Planning for Health - Using the planning system to control hot food takeaways: A good practice guide (February 2013):** this guide focuses on how planning policy can help to tackle the issue of obesity across London as part of a coherent, strategic approach together with other local authority initiatives. The guidance recommends that a range of policies or criteria should be used together to control and manage the impact of new hot food takeaways, including managing concentration and clustering of hot food takeaways in town or local centres; and hot food takeaways in close proximity to schools. The guidance also recommends that planning controls should be part of a co-ordinated approach to tackle unhealthy diets and obesity, including working with local takeaway businesses and the food industry to make food healthier.
- **Takeaways Toolkit (November 2012; updated June 2014):** the Toolkit was developed by the Mayor of London in co-operation with the Chartered Institute of Environmental Health. It focuses on a range of areas – including planning, public health and education - with the ultimate aim of helping local authorities to develop strategies and programmes to tackle the impacts of fast food takeaways in their local communities. The Toolkit highlights that takeaway foods often have high levels of salt, sugar and saturated fat, which are linked to a number of negative health outcomes.
- **Healthy Lives, Healthy People: A call to action on obesity in England (October 2011):** this policy document follows on from the Healthy Lives, Healthy People White Paper. It sets out how the new approach to public health will enable effective action on obesity and encourages a wide range of partners to play their part. The document aims to make the most of the potential for the planning system to create a healthier built environment, with specific mention of using supplementary planning policies to limit the growth of fast food takeaways. The document also references the online 'Healthy Places' resource⁹⁸ which provides information and examples of how the planning system can be used by planning and health practitioners to promote and support healthy living.
- **Healthy Lives, Healthy People: our strategy for public health in England (November 2010):** this White Paper is the Government's response to the Marmot Review. It specifically highlights the role of local authorities in regulating the development and operation of new fast food restaurants.

⁹⁸ Available at <http://www.healthyplaces.org.uk/>

- **Cardiovascular disease prevention public health guideline 25 (June 2010):** the National Institute for Health and Care Excellence (NICE) produced formal guidance on preventing cardiovascular disease at population level. This guidance included various recommendations including encouraging local planning authorities to restrict planning permission for takeaways and other food retail outlets in specific areas (for example, within walking distance of schools); and to implement existing planning policy guidance in line with public health objectives.
- **The Marmot Review: strategic review of health inequalities in England post-2010 (February 2010):** the Marmot Review is a Government-commissioned independent review of measures to reduce health inequalities; the review identified planning as a one potential method to tackle health inequalities and recommended a new national policy on health to ensure that new developments are assessed for their impact on health inequalities, for example limiting the number of fast food outlets in a Super Output Area.
- **A Tale of Two ObesCities: Comparing responses to childhood obesity in London and New York City, a report by the City University of New York and London Metropolitan University (February 2010):** this report acknowledges the potential harmful impacts which over-concentration of fast food outlets can have on childhood obesity levels. The report advocates using land use planning to limit access to fast food outlets.
- **The School Fringe: what pupils buy and eat from shops surrounding secondary schools, Nutrition Policy Unit, London Metropolitan University, Sarah Sinclair and J T Winkler (July 2008):** This research from London Metropolitan University looked at the relationship between takeaways located in ‘fringe’ locations near to schools and pupils nutritional intake. Conclusions were limited by the small scope of the research, but the report raised a general concern about fast food shops locating near to schools, and suggested measures to alleviate adverse impacts, such as restrictions to the number of fast food shops and specific school initiatives to restrict pupil access to ‘fringe’ takeaways.
- **Foresight project, Tackling Obesities: Future Choices (October 2007):** the Foresight project, undertaken by the Government Office for Science, is a strategic view of the issue of obesity. Foresight modelling indicates that by 2050, 60% of adult men, 50% of adult women and about 25% of all children under 16 could be obese. Such high rates of obesity would have numerous associated economic and social costs. The Foresight report advocates a bold whole system approach to tackling this issue – from promotion of healthy diets to redesigning the built environment to promote walking, together with wider cultural changes to shift societal values around food and activity. This will require a broad set of integrated policies including both population and targeted measures and must necessarily include action not only by government, both central and local, but also action by industry, communities, families and society as a whole.

Betting shops

The following analysis/discussion of various reports, studies and other publications underpins the council’s proposed guidance for betting shops, as set out in section 7 of the SPD.

With regard to Fixed Odds Betting Terminals (FOBTs) in betting shops, these can add to the primary betting use (or in some cases it could be argued that they are the primary use

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themselves). Newham Council recently lost a licensing appeal⁹⁹ following the refusal of a premises licence on the grounds that the primary activity of the proposed premises would be FOBT rather than over-the-counter bets. The Gambling Commission have subsequently updated their guidance to clarify how licensing authorities can assess whether betting is the primary gambling activity on a betting premises¹⁰⁰.

Analysis from the Campaign for Fairer Gambling shows that Islington has a FOBT player population of over 7,000. Estimated average FOBT losses per player in Islington total approximately £2,000¹⁰¹; this is the 7th highest figure across London local authorities.

The British Gambling Prevalence Survey 2007 shows stronger association between problem gambling¹⁰² and FOBTs, more so than any other activity bar spread betting. The British Gambling Prevalence Survey 2010 highlights a higher prevalence of problem gambling in the most deprived IMD areas; amongst people who are unemployed; and those with very severe money problems. Problem gamblers are also more likely to experience adverse financial, social and health impacts due to increased debts, anxiety and other harms¹⁰³. The NHS estimates that there are approximately 600,000 problem gamblers in Great Britain¹⁰⁴. Based on 2014 ONS population estimates, this means that almost 1 in every 100 people in Great Britain could be classed as a problem gambler.

Other action has been announced to tackle the potential harmful impacts of betting shops, including greater player protection measures for FOBT users and advanced voluntary self-exclusion measures. The gambling industry has also introduced a code of conduct to tackle some of the main perceived impacts of betting shops, particularly FOBTs; however, this has been criticised by the Prime Minister, who stated that it needed to be “*strengthened to minimise harm*”¹⁰⁵.

In a speech to the gambling industry in December 2015¹⁰⁶, Tracey Crouch MP, Minister for Sport, Tourism and Heritage, stated that good will alone would not be enough to minimise harms associated with the gambling industry. The minister also stated that the betting industry “*should never feel that there is an end point to social responsibility*”; and “*gone are the days when companies could act with impunity and disregard the consequences that the use of their products inflicted on wider society.*”

⁹⁹ The Guardian, Newham council told to accept betting shop it rejected, 17 June 2013, available from <http://www.theguardian.com/society/2013/jun/17/newham-betting-shop-paddy-power>

¹⁰⁰ Gambling Commission, Indicators of betting as a primary gambling activity, Advice note, October 2013, available from:

<http://www.gamblingcommission.gov.uk/pdf/Indicators%20of%20betting%20as%20primary%20gambling%20activity%20-%20October%202013.pdf>

¹⁰¹ These figures were calculated using Census 2011 population figures; Geofutures betting shop location information; average profit per terminal figures from the Gambling Commission; assumptions on the percentage of the population who have gambled; and FOBT density count based on Gambling Commission average FOBT density figures.

¹⁰² Defined in the BGPS 2007 report as “*gambling to a degree that compromises, disrupts or damages family, personal or recreational pursuits*”.

¹⁰³ Royal College of Psychiatrists, op cit, see footnote 72

¹⁰⁴ NHS Choices, Gambling addiction, available from:

<http://www.nhs.uk/Livewell/addiction/Pages/gamblingaddiction.aspx>

¹⁰⁵ The Guardian, op cit, see footnote 78

¹⁰⁶ Remarks to the Responsible Gambling Trust Harm Minimisation Conference by Tracey Crouch MP, Minister for Sport, Tourism and Heritage (Department for Culture, Media, and Sport), 9 December 2015, available from:

http://www.responsiblegamblingtrust.org.uk/user_uploads/announcement-%2010%20ministerial%20speech%20to%20rgt%20conference%202015.pdf

There have been claims¹⁰⁷ that research produced by the Responsible Gambling Trust (RGT), which includes several research papers often cited by the betting industry as evidence of the minimal impact of betting shops, may have been overly sympathetic to the betting industry. The Charity Commission is investigating these claims¹⁰⁸.

A 2012 poll¹⁰⁹ by the Local Government Association found that 37 per cent of the public said clustering puts them off visiting their local high street, with 50 per cent saying the clustering of betting shops has a negative effect on high streets.

Betting shops have been associated with incidences of anti-social behaviour, crime and disorder. In licensing, prevention of crime and disorder is one of the three licensing objectives which underpin assessment of licensing applications. In practice, it has been difficult to translate potential increases in crime and disorder due to a proposed new betting shop – even where reinforced with statistics – into a refusal¹¹⁰ which will stand up to challenge¹¹¹.

In 'Responding to the cumulative impact of betting shops'¹¹², a discussion guide produced for the London Health Inequalities Network, a number of common themes emerged across London local authorities, including evidence of proliferation of betting shops since the Gambling Act 2005 came into force; clustering of betting shops in the most deprived areas, and the impact on vulnerable people; an increase in crime and anti-social behaviour in and around betting shops, nuisance caused by including street drinkers and smokers and littering outside the shops; and adverse impacts on the longer term sustainability of the high street.

Evidence from a London Borough of Haringey Overview and Scrutiny Panel investigation¹¹³ showed that, according to the Metropolitan Police, a major concern appeared to be that of disorder, which related to the behaviour of customers that congregated outside betting shops. Police evidence suggested that this predominantly related to incidents of intimidation and harassment of passers-by. Instances of criminal damage, particularly related to FOBT use, were also reported.

A report¹¹⁴ produced for the London Borough of Southwark in March 2014 concluded that there is a reasonable body of scientific evidence that shows access to gambling venues (including betting

¹⁰⁷ The Daily Express 2016, Gambling charity could face an investigation into links with bookies, 17 February 2016, available from: <http://www.express.co.uk/news/uk/645051/FOBT-Charity-Commission-investigation>

¹⁰⁸ The Charity Commission, Commission responds to concerns about Responsible Gambling Trust, 17 February 2016, available from: <https://www.gov.uk/government/news/commission-responds-to-concerns-about-responsible-gambling-trust>

¹⁰⁹ Local Government Association poll: myths over preference for supermarkets busted as residents favour local shops, 2 March 2012, available from: http://www.local.gov.uk/web/guest/media-releases/-/journal_content/56/10180/3374769/NEWS

¹¹⁰ The Guardian 2014, op cit, footnote 99

¹¹¹ Whur, P. (2012). Local Government Lawyer – is there a better way?, available from: http://www.localgovernmentlawyer.co.uk/index.php?option=com_content&view=article&id=10837%3Aa-better-way&catid=61&Itemid=29

¹¹² Hanrahan, S. (on behalf of London Health inequalities Network) 2013, op cit, see footnote 61

¹¹³ Haringey Council, Scrutiny Review of the Clustering of Betting Shops in Haringey: a review by the Overview and Scrutiny Committee, April 2011

¹¹⁴ Ben Cave Associates Ltd, Betting, borrowing and health: Health impacts of betting shops and payday loan shops in Southwark, 7th March 2014, available from: http://www.southwark.gov.uk/download/downloads/id/10359/health_impacts_of_betting_shops_and_payday_loan_shops_in_southwark

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shops) leads to increased gambling behaviour and that this, in turn, is associated with poor health outcomes. The characteristics that often facilitate and encourage people to gamble in the first place are primarily features of the environment, such as location of the gambling venue and the number of venues in a specified area. These variables may be important in both the initial decision to gamble and the maintenance of the behaviour.

Allowing underage gambling is a further issue which is often cited as being one of the more harmful aspects of betting shops. A 2009 undercover investigation by the Gambling Commission found that 98% of betting shops allowed a 17 year old to place a bet¹¹⁵. A 2012 report by the Department for Culture, Media and Sport (DCMS) Select Committee¹¹⁶ expressed concern at the continuing comparatively high failure rate of betting shop tackling underage gambling.

These separate issues can feed into each other and exacerbate adverse impacts. For example, evidence from a review of betting shop related crime in Southwark in 2013¹¹⁷ found that underage persons attempting to gamble in betting shops was a leading cause of reported anti-social behaviour in the borough.

Payday loan shops

The following analysis/discussion of various reports, studies and other publications underpins the council's proposed guidance for payday loan shops, as set out in section 8 of the SPD.

All operators offering payday loans need permission to carry out such activities. Before April 2014, this involved securing a Consumer Credit licence from the Office for Fair Trading (OFT). On 1 April 2014, the Financial Conduct Authority (FCA) took over the regulation of consumer credit from the OFT. Any operator who previously secured a Consumer Credit licence from the OFT had to apply to the FCA for interim permission to continue carrying out consumer credit activities. Any operator with interim permission then has a certain period in which to apply for full authorisation from the FCA. Fully Authorised operators are added to the Financial Services Register¹¹⁸.

Customers wishing to access a payday loan will usually have to adhere to some assessment criteria at the initial loan stage, such as evidence of income/employment, a bank account or a credit check. One of the main criticisms of the payday lending industry is the purported widespread lack of robust income assessments. The FCA has recently undertaken a comprehensive investigation of the high cost short term loan market, including tackling poor practice in loan selling.

Changes to the payday lending sector arising from the FCA investigation include limiting the 'rolling over' of loans - i.e. extending the repayment period thereby incurring additional interest costs – to a maximum of two rollovers per loan; and the imposition of a price cap on high-cost short-term credit¹¹⁹. The cap has three components:

¹¹⁵ The Guardian, 98% of bookies allow under-age to bet, 31 May 2009, available from: <http://www.theguardian.com/uk/2009/may/31/gambling-under-age-watchdog>

¹¹⁶ House of Commons Culture, Media and Sport Committee 2012, op cit, footnote 59

¹¹⁷ Ben Cave Associates Ltd 2014, op cit, footnote 114

¹¹⁸ Accessed at: <https://register.fca.org.uk/>

¹¹⁹ Financial Conduct Authority, FCA confirms price cap rules for payday lenders, 11 November 2014, available from: <http://www.fca.org.uk/news/fca-confirms-price-cap-rules-for-payday-lenders>

- initial cost cap – this limits the charge for interest and fees to a maximum of 0.8% of the total amount borrowed, per day.
- cap on default fees and interest – if a borrower defaults on their loan, the lender can charge a maximum of £15 for fees.
- total cost cap – the total cost (i.e. all interest, fees and charges) of a payday loan must not exceed 100% of the total amount borrowed.

The payday loan industry has been investigated by the Competition and Markets Authority (CMA) due to a suspected lack of price competition in the payday loan market. Although the investigation largely focused on lenders with an online presence, there are implications for high street lenders, particularly related to transparency around the cost of loans. The final report was published in February 2015¹²⁰. Following publication of the report, the CMA published a notice of its intention to make an order to address the features of the market which adversely affect competition, as identified in the final report.

In the current financial climate and in the face of recent benefit reform and the forthcoming rollout of universal credit, many Islington residents are likely to experience reduced income. In these circumstances, payday loans could be seen as an easy option in the short-term to alleviate cash flow problems, rather than seek cheaper alternatives or financial advice¹²¹. Due to the high interest rates charged and to the common practice of 'rolling over' loans, the costs associated with payday loans, dubbed the 'poverty premium'¹²²,



Figure 5 – Islington Council payday lending awareness campaign

¹²⁰ Information on the CMA investigation is available from: <https://www.gov.uk/cma-cases/payday-lending-market-investigation>

¹²¹ Citizens Advice warns payday lenders could prey on Universal Credit claimants, 25 November 2013, available from: <https://www.citizensadvice.org.uk/about-us/how-citizens-advice-works/media/press-releases/citizens-advice-warns-payday-lenders-could-prey-on-universal-credit-claimants/>

¹²² Institute for Public Policy Research, Jumping the shark: building institutions to spread access to affordable credit, April 2014.

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can easily run into hundreds and even thousands of pounds. This can exacerbate income deprivation. The recent changes to the industry resulting from the FCA investigation will mitigate some, but not all, of these impacts.

A report¹²³ produced for the London Borough of Southwark in March 2014 concluded that there are clear associations between where payday loan shops are found and communities with poorer health or particular vulnerabilities to debt, albeit there is limited evidence for a direct causal link. Islington Council has been at the forefront of campaigns and action to promote better forms of credit, including significant support and funding for credit unions and organisations to provide debt advice and legal support on debt matters (see figure 5).

The council have also established the Islington Debt Coalition¹²⁴, a forum which brings together a number of council departments and external organisations with the aim of tackling the issue of debt in Islington. A sub-group was set up in 2013 to look at the specific issue of payday lending.

Various other groups and organisations have campaigned for further regulation and scrutiny of the payday lending market. For example, the Archbishop of Canterbury recently advocated significant expansion of credit unions as a method of tackling the proliferation of payday lenders, with an indication that he will authorise use of the Church of England's significant property portfolio to facilitate this expansion¹²⁵.

The Islington Fairness Commission highlighted debt as a significant problem in the borough, particularly affecting those on low incomes. Evidence from charities and advice organisations show that there has been substantial uplift in contact relating to payday loan debts in the last few years. Between Q4 2013/14 and Q1 2015/16, Citizens Advice trends have shown a quarter on quarter decrease in advice provided in relation to payday loan debts; however, figures from Q2 2015/16 have shown an increase in payday loan debt advice trends¹²⁶. This suggests that issues with the payday loan industry have not been resolved.

'Consumer Debt in Islington', a 2010 report by Rocket Science for Islington Council found that over 11,000 people in Islington have unsecured debts of between £5,000 and £15,000 and a further 13,000 people have unsecured debts exceeding £15,000.

Figures¹²⁷ from StepChange Debt Charity reinforce the issue of debt across the UK. These figures, for the period 2009 - 2012, show a near threefold increase in the number of people who sought help about multiple payday loans. The average amount owed on payday loans also increased during this period.

Experiences of Debt and Debt Advice Services in Islington¹²⁸, a report by NatCen Social Research for Islington Debt Coalition published in January 2012, looked at the attitudes of Islington residents

¹²³ Ben Cave Associates Ltd 2014, op cit, footnote 114

¹²⁴ Further information available from: <http://www.islington.gov.uk/advice/money-advice/Pages/Advice-workers.aspx>

¹²⁵ Payday loans: Archbishop's speech in the House of Lords, 20 June 2013, available from:

<http://www.archbishopofcanterbury.org/articles.php/5083/payday-loans-archbishops-speech-in-the-house-of-lords>

¹²⁶ Citizens Advice, Advice Trends 2015/16, available from:

<https://www.citizensadvice.org.uk/Global/Public/Advice%20trends/National-Issues-Q2-2015-16.xlsx>

¹²⁷ StepChange Debt Charity, Rise in multiple payday loans, available from:

<http://www.stepchange.org/Mediacentre/Campaigns/Consumercreditspotlight/Riseinmultiplepaydayloans.aspx>

¹²⁸ National Centre for Social Research, Experiences of Debt and Debt Advice Services in Islington: Final Report, January 2012, available from: <https://www.islington.gov.uk/publicrecords/library/Democracy/Quality-and-performance/Reporting/2011-2012/%282012-03-29%29-NatCen-Report-Jan-2012.pdf>

to debt. Evidence from the report suggests that although people value the opportunity to access relatively easy credit (such as payday loans), choices about borrowing were very restricted and participants felt vulnerable to the offer of 'easy' credit from loan companies, who often made concerted efforts to attract customers, including directly contacting people by phone or SMS. This was coupled with a general low awareness of debt advice services. There was strong support among participants for action to be taken against payday loan companies. Possible measures put forward by the participants included banning advertising aimed at financially vulnerable people and encouraging loan companies to lend more responsibly. Numerous local councils across the country are reacting to this by banning various forms of payday loan advertisements, including advertising billboards and bus shelters. Islington Council are one of these councils, having blocked payday loan advertisements on council-owned billboards and council computers¹²⁹.

¹²⁹ Islington Gazette, Islington Council bans pay day loan companies from advertising, 29 July 2013, available from: http://www.islingtongazette.co.uk/news/crime-courts/islington_council_bans_pay_day_loan_companies_from_advertising_1_2301981

Appendix 4 – Definition/explanation of key terms

Amenity: amenity is a wide ranging term which can encompass consideration of an areas character, function and other factors. It is generally understood to be the way in which these factors act together to generate a sense of wellbeing and enjoyment. Amenity is factor for residents and businesses of the borough. It is a qualitative measure that must be identified on a case-by-case basis, but there are certain common issues which can affect the amenity of different areas, such as introduction of uses which increase the level of noise, anti-social behaviour and/or disturbance. DMP policy DM2.1 Part A(x) provides a fuller list of considerations for assessing impact on amenity.

Betting shop: a location that is licensed to enable betting – defined by the Gambling Act 2005 - to be carried out on the premises. In planning terms, a betting shop is classed as a Sui Generis use.

Character: this term is already broadly defined in Islington's Local Plan as individual distinctiveness created from a combination of natural and built elements with historic, socio-economic and other factors. When considering character specifically in relation to DMP policy DM4.3, it is important to note that the application of this policy will likely be for applications within a specific retail/commercial designation, given that the examples of uses listed in DMP policy DM4.3 Part A could all be classified as main Town Centre uses as per the NPPF. The borough generally has a broad mix of uses but has a predominantly A1 retail character in Town Centres and Local Shopping Areas. The borough's densely developed nature means that residential uses are often in close proximity to commercial uses; therefore residential character needs to be taken into account, particularly the impact on residential amenity. The south of the borough falls within the Central Activities Zone, which is difficult to characterise uniformly, although there are large amounts of commercial units, mostly offices.

Function: in relation to a specific area, function can be defined as that areas predominant role, although some areas can have significant secondary supporting functions. For example, Islington's town centres all have an overtly A1 retail function but also have a distinct night-time economy element; and large parts of the CAZ within Islington have a predominantly office function but with supporting retail and leisure uses. The introduction of certain uses can undermine the function of an area, particularly if it leads to a specific harmful concentration of such uses.

Health and Wellbeing – although it is not explicitly defined in Islington's Local Plan, DMP Chapter 6, paragraph 6.1 outlines the key facets of the term. Ensuring health and wellbeing means creating a healthy environment whilst not contributing to negative health outcomes and further widening health inequalities. There is a wealth of evidence discussed in this SPD related to health, especially in relation to the specific areas detailed in sections 6, 7 and 8. Likely health impacts related to these areas include increased obesity levels (linked to prevalence of hot food takeaways) and increased incidences of mental health problems (related to increases in personal debt which can cause stress and depression).

Hot food takeaway: a unit within the A5 use class which primarily sells hot food for consumption off the premises.

Payday loan shop: a shop where customers can access payday a high interest loan intended to provide an interim solution to short-term personal cash flow problems. Payday loans are generally intended to be paid back within a short period of time, typically one or two months. Commonly, high street payday loan shops offer other services, including pawnbroker facilities or the

buying/selling of second hand goods. In planning terms, a payday loan shop is classed as a Sui Generis use.

Quasi-retail use: a non-A1 use which shares some characteristics with A1 retail uses, such as the provision of an active frontage or sale of retail-esque goods and/or services.

Viability: viability – in a retail sense - is intrinsically linked with vitality. If vitality is a measure of existing economic activity, viability is a measure of the ability and capacity to grow and develop the role of a centre and bolster economic activity. This factors in whether a centre has scope to respond to changing dynamics in the retail sector. Factors that influence viability include the introduction of uses which detract from the existing mix of uses and affect any agglomeration benefits; uses which reduce footfall to particular parts of centres; uses which affect perception of safety and occurrence of crime. Paragraph 005 of the NPPG¹³⁰ sets out a number of other potential influential factors.

Vitality: vitality in planning is a term usually applied to retail areas, meaning the ability of a retail area to maintain economic activity in the face of potential impacts. Vitality is inherently linked with viability (see above) and is largely affected by the same factors as viability.

¹³⁰ National Planning Practice Guidance, Which indicators should be used to determine the health of town centres?, available from: <http://planningguidance.planningportal.gov.uk/blog/guidance/ensuring-the-vitality-of-town-centres/ensuring-the-vitality-of-town-centres-guidance/>