

Classification: Open	Decision Type: Key
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Report to:	Cabinet	Date: 30 June 2026
Subject:	Adoption of SPD19 – Hot Food Takeaway	
Report of	Leader of the Council	

1. Summary

- 1.1 This report details the outcomes of the draft Hot Food Takeaway Supplementary Planning Document (SPD19) consultation and seeks approval for the final SPD to be formally adopted.

2. Recommendation(s)

2.1 That Cabinet:

- i) Note the responses to the public consultation and the proposed post-consultation revisions.
- ii) Approves draft SPD19 –Hot Food Takeaways as the final version to be adopted and published.
- iii) Delegate authority to the Executive Director (Place), to make any minor non-material editorial amendments to the SPD ahead of its final publication.

3. Reasons for recommendation(s)

- 3.1 SPD19 provides additional detail and guidance on the implementation of existing Development Plan policies that are used to determine proposals for Hot Food Takeaways. It provides supporting information and guidance on how the Local Planning Authority will assess planning applications for hot food takeaways where planning permission is required
- 3.2 The adoption of the document and revocation of the previous SPD19 would ensure that all relevant planning applications are considered against up-to-date policy guidance.

4. Alternative options considered and rejected

- 4.1 To not adopt the revised SPD19 – Hot Food Takeaways.
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5. Background

- 5.1 In January 2026, Cabinet members approved a draft of SPD19: Hot Food Takeaways for consultation purposes. The SPD provides supporting information and guidance on how the Local Planning Authority will assess planning applications for hot food takeaways where planning permission is required, for example for new hot food takeaways or applications for a variation of opening times.
- 5.2 The SPD seeks to provide a framework to support a balanced and fair approach to supporting local business and economic growth whilst also taking steps to ensure our environment supports the health and wellbeing of our residents.
- 5.3 The SPD has been produced in collaboration with Public Health.
- 5.4 Consultation on the Draft SPD was undertaken over a six-week period running from 26th January 2026 to 09th March 2026. The submitted responses have been considered, and a small number of changes have been made to the SPD.
- 5.5 Approval is now sought to adopt the revised SPD19: Hot Food Takeaway (attached as Appendix 1) as a material consideration in the determination of planning applications.

6. Summary of the Consultation Findings

- 6.1 In accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement, consultation on the Draft SPD was undertaken over a six-week period running from 26th January 2026 to 09th March 2026.
- 6.2 Consultation involved making relevant material available for inspection on the Council's website, and available to view in the Town Hall and at Bury, Prestwich, Radcliffe and Ramsbottom libraries and at the Tottington Centre. Letters / emails were also sent to all contacts on the Council's Local Plan consultation database.

- 6.3 The consultation generated a total of seven responses. These comments and the Council's response to them are set out in the Consultation Statement appended to this report (Appendix 2).
- 6.4 The consideration of these comments has led to the conclusion that SPD19 would benefit from a small number of changes prior to it being formally adopted. In particular:
- Clarification has been provided on the process for new planning applications.
 - Odour has been added as a planning consideration to Section 5.
 - Drainage has been added as a planning consideration to Section 5.
- 6.5 SPD19–Hot Food Takeaways has been updated to incorporate these changes and is provided in Appendix 1.

7. Scope of the SPD

- 7.1 Whilst not a statutory development plan document, if adopted the SPD would be a material planning consideration in the determination of planning applications for Hot Food Takeaways.
- 7.2 The concentration of hot food takeaways on our high streets, within our neighbourhoods, and close to schools has been recognised as a key planning issue for some time. Councils across the country are experiencing similar issues, often in areas suffering from high levels of deprivation.
- 7.3 Childhood overweight and obesity rates in Bury remain significantly above national averages, with NCMP data showing that more than 25% of children in some Lower Super Output Areas are affected. These figures have risen in recent years, alongside an increase in hot food takeaway outlets and evidence demonstrates a clear association between the density of hot food takeaways and unhealthy weight outcomes, particularly in deprived communities.
- 7.4 The SPD provides the context around the whole systems approach to support healthy environments and reduce obesity and the role that the SPD can play alongside other initiatives to address the obesogenic environment.
- 7.5 The Hot Food Takeaway SPD explains the requirements, relevant thresholds and measures that may need to be taken to ensure that a hot food takeaway is acceptable in planning terms. The requirements consist of:
- Using local health intelligence to inform decision making via the Hot Food Takeaway Planning Matrix.
 - Proximity to Schools.

- Locations where there are high levels of obesity.
- Over-proliferation of hot food takeaways and
- Limiting the impacts of hot food takeaways in relation to environmental health, highways issues and general residential amenity.

7.6 If adopted, SPD19 will apply to all planning applications for Hot Food Takeaways validated after the date of adoption.

8. Conclusion

8.1 Members are requested to approve the proposed changes to SPD19 before agreeing to adopt it as a material planning consideration.

9. Links with the Corporate Priorities:

9.1 Places for Everyone forms part of Bury's statutory development plan. It sets out statutory policies and strategic site allocations that will guide future growth and development in the Borough. A key part of the Plan is to rebalance the Greater Manchester economy by significantly boosting the economic output from the north through the delivery of new housing and employment that will benefit both Bury and its residents. The 'Let's Do It' strategy specifically refers to Places for Everyone as having a key role to play in the delivery of its objectives and priorities.

10. Equality Impact and Considerations:

10.1 A full Equality Impact Analysis has been completed. This identified different characteristics and circumstances which could be affected and impacted by this SPD. All impacts are identified as either neutral or positive with no outstanding equalities concerns or additional actions required at this stage.

11. Environmental Impact and Considerations:

11.1 The revised SPD is not expected to give rise to any significant environmental effects. The SPD provides supporting information and guidance on how the Local Planning Authority will assess applications for hot food takeaways where planning permission is required.

12. Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
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The post consultation amendments are not accepted.	The amendments are a result of public consultation and having considered the responses received.
The final SPD is not approved.	A previous Cabinet report approved the draft SPD. The final SPD has been amended in response to comments received.

13. Procurement Implications

13.1 No Procurement Implications.

14. Legal Implications:

14.1 The statutory requirements for the preparation and adoption of Supplementary Planning Documents (SPDs) are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. This report sets out how these requirements have been followed in the preparation of SPD19 Hot Food Takeaway, including the publication of the draft document for public consultation in accordance with Regulations 12 and 13.

14.2 Before adopting the SPD, Cabinet must consider the issues raised through the consultation and the extent to which the SPD has been amended in response to those representations. The Consultation Statement (Appendix 2) provides details of the representations received and the Council's response to them.

14.3 If adopted, SPD19 – Hot Food Takeaways will become a material consideration in the determination of relevant planning applications. The SPD provides additional guidance relating to existing Development Plan policies and must therefore be considered when determining planning applications for Hot Food Takeaways submitted after the date of adoption.

14.4 Following adoption, the Council must publish an Adoption Statement, in accordance with Regulation 14 of the 2012 Regulations. The Adoption Statement must specify the date of adoption, any modifications made since publication of the draft SPD, and the time limits for any person aggrieved by the decision to apply for permission for judicial review.

15. Financial Implications:

15.1 There are no financial implications arising directly from the adoption of SPD19. The SPD has been developed by Planning Services staff funded from existing approved budget allocations. The costs relating to the

consultation process are also covered within existing approved budget allocations.

Appendices:

Appendix 1 – Supplementary Planning Document 19: Hot Food Takeaways

Appendix 2 – SPD19 Consultation Statement

Background papers:

None

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
PfE	Places for Everyone
SPD	Supplementary Planning Document