

Cabinet

Date of Meeting: 21 March 2016

Report title: Healthier High Streets Scrutiny Commission Report

Wards: All

Report Authorised by: Strategic Director for Corporate Resources: Jackie Belton; and,
Strategic Director for Neighbourhoods & Growth: Sue Foster

Portfolio: Deputy Leader (Finance and Resources), Councillor Paul McGlone; Cabinet Member for Neighbourhoods, Councillor Jane Edbrooke; and, Cabinet Member for Jobs & Growth: Councillor Jack Hopkins

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Report summary

The report sets out the findings from the Healthier High Streets Scrutiny Commission, which was set up at the request of the (now defunct) Health and Adults' Services Scrutiny Sub-Committee. The Commission's focus is on improving the lifestyle choices available on the borough's high streets and the report contains recommendations regarding off licences, fast food outlets, payday loan shops and bookmakers to encourage businesses to offer healthier choices while also calling for tougher regulation where it's needed.

The Commission has sought to liaise with and influence policy makers throughout the course of its work and as a result of this successful engagement a number of the recommendations have been adopted as council policy prior to this report being finalised. Cabinet is asked to note this and approve the action plan which sets out the response to the commission's recommendations.

Finance summary

It is intended that recommendations will be met from existing budgets and work programmes. The Council's financial position is however worsening, so these proposals need to be considered as to their deliverability within a reducing financial envelope in future years.

Recommendations

- (1) To receive the report and recommendations of the Healthier High Streets Scrutiny Commission (Appendix 1).
- (2) To note the successful engagement between the commission and policy makers which has resulted in a number of the report's recommendations already having been adopted.
- (3) To approve the action plan prepared in response to the Commission's recommendations (Appendix 2).

1. Context

- 1.1 In 2013 the (now defunct) Health and Adults' Services Scrutiny Sub-Committee began looking at the prevalence and influence of businesses and business practices on the borough's high streets which presented unhealthy choices that disproportionately affected the most vulnerable residents. These included off licences, payday loan shops, betting shops and fast food takeaways.
- 1.2 The Commission has produced a report and a number of recommendations aimed at encouraging such businesses to promote healthier options and urging greater regulation where necessary. The associated action plan outlines how the recommendations will be taken forward.
- 1.3 Usual practice has historically been for scrutiny commission reports to be considered by the relevant scrutiny committee prior to submission to Cabinet. However, under the new scrutiny structure introduced in 2014, under which the number of committees has been significantly reduced and commissions play an enhanced role, it is not always possible for this to happen. In this instance therefore, the Commission is reporting straight to Cabinet following agreement of the report by the Scrutiny Chairs.

2. Proposal and Reasons

- 2.1 The Commission presents a wide range of recommendations principally related to enforcement.
- 2.2 In responding to the recommendations a comprehensive action plan has been drawn up addressing each specific recommendation. Whilst it has not been possible to implement every recommendation, due to legal barriers or financial restrictions, a number have already been implemented and the majority are underway as outlined in the action plan.

3. Finance

- 3.1 All of the recommended actions within the report will need to be met through existing budgets and work programmes taking into account the reduced level of resources that will be available going forward following the February Budget.
- 3.2 The proposal to give a business rates discount to off licences as a reward where existing licence holders adopt the new policy will have an impact on the Council's funding, therefore increasing the total savings that need to be found. This would need to be offset by additional savings, income or business rates. As such, a thorough assessment of the impact of the proposed change would need to be undertaken before progressing further.
- 3.3 The introduction of a late night levy would generate additional income for the service. This income would need to be quantified to assess whether it would offset the additional costs raised elsewhere or could be used to contribute towards future required savings.

4. Legal and Democracy

- 4.1 There are no direct legal implications arising from the recommendations in this report. The legal implications associated with the Commission's recommendations have been considered and

addressed within the Action Plan. Lead departments and Officers will need to obtain legal clearance in respect of future actions to ensure compliance with the relevant legislative framework.

4.2 Part 3, Section 6, Rule 17(a) of the Council's Constitution states that:

'Once a scrutiny report on any matter which is the responsibility of the Cabinet has been completed, the Cabinet will consider the report, together with a prepared action plan by officers of the Council, within 2 months of the report having first been agreed by the scrutiny committee.'

4.3 This proposed key decision was entered in the Forward Plan on 25 November 2015 and the necessary 28 clear days' notice has been given. In addition, the Council's Constitution requires the report to be published on the website for five clear days before the proposed decision is approved by the Cabinet Member. Any representations received during this period must be considered by the decision-maker before the decision is taken. A further period of five clear days - the call-in period – must then elapse before the decision is enacted. If the decision is called-in during this period, it cannot be enacted until the call-in has been considered and resolved.

5. Consultation and co-production

5.1 During the course of its work the commission undertook a number of exercises to solicit the views of Members, residents and relevant experts. Further details and the findings of that work are contained within the main body of the Commission's report (Appendix 1).

6. Risk management

6.1 Risks associated with the recommendations are detailed in the action plan responses (see Appendix 2).

7. Equalities impact assessment

7.1 The issues outlined in the report affect all our communities but have a disproportionate impact on our most deprived residents. The proposals within the recommendations and action plan will help mitigate the impact of unhealthy lifestyle choices by encouraging more responsible business practices and regulation to reduce harmful impacts on health where needed.

8. Community safety

8.1 Several of the proposals within the action plan, such as greater scrutiny on single can sales and restrictions on 24 hour off-licences, will have a positive impact on crime and disorder in Lambeth. Alcohol related violence and crime remains extremely high in Lambeth compared to national and London-wide statistics, and measures that restrict the sale of alcohol will help reduce these crimes.

9. Organisational implications

9.1 Environmental
None.

9.2 Staffing and accommodation

None.

9.3 Procurement

None.

9.4 Health

This commission seeks to reduce the prevalence and influence of unhealthy lifestyle choices on Lambeth's high streets and therefore contribute to positive health outcomes.

10. Timetable for implementation

10.1 Any timescales for actions where appropriate are contained within the action plan accompanying the report.

10.2 It is also anticipated that updates on the progress of the action plan will be requested at six months and 12 months, though this may be done outside the formal meeting schedule.

Audit trail				
Consultation				
Name/Position	Lambeth division or partner	Date Sent	Date Received	Comments in para:
Jackie Belton	Strategic Director, Corporate Resources	14.12.15 & 07.03.16	15.12.15 & 09.03.16	
Sue Foster	Strategic Director, Neighbourhoods & Growth	11.12.15 & 07.03.16	15.12.15	
Kristian Aspinall	Lead Commissioner, Neighbourhoods & Growth	04.12.15 & 07.03.16	08.12.15 & 23.02.16	Sections 2 & 8 and Appendix 2
Ann Corbett	Programme Director; Neighbourhoods & Growth	08.12.15 & 07.03.16	09.12.15	
David Joyce	Programme Director; Neighbourhoods & Growth	08.12.15 & 07.03.16	09.12.15 & 11.03.16	
Sandra Roebuck	Programme Director; Neighbourhoods & Growth	11.12.15 & 07.03.16	11.12.15	
Andrew Ramsden, Finance	Business Partnering	08.12.15 & 07.03.16	16.12.15 & 09.03.16	Finance Summary and Section 3
Jean Marc Mookarme, Legal Services	Corporate Affairs	08.12.15 & 07.03.16	15.12.15 & 08.03.16	Section 4 / Appendix 2
David Rose, Democratic Services	Enabling: Corporate Affairs	08.12.15 & 07.03.16	08.12.15 & 07.03.16	Section 4
Councillor Paul McGlone	Deputy Leader, Finance & Investment	08.12.15 & 26.02.16	07.03.16	Appendix 2
Councillor Jane Edbrooke	Cabinet Member for Neighbourhoods	08.12.15 & 26.02.16	07.03.16	Appendix 2
Councillor Jack Hopkins	Cabinet Member for Jobs & Growth	11.12.15 & 26.02.16	07.03.16	Appendix 2
Councillor Ed Davie	Chair, Overview and Scrutiny Committee	08.12.15 & 07.03.16		Appendix 2
Councillor Lib Peck	Leader of the Council	03.03.16	06.03.16	Appendix 2

Report History	
Original discussion with Cabinet Member	24.11.15
Report deadline	09.03.16
Date final report sent	11.03.15
Report no.	150/15-16
Part II Exempt from Disclosure/confidential accompanying report?	No

Key decision report	Yes
Date first appeared on forward plan	25.11.15
Key decision reasons	3. Meets community impact test
Background information	Background documents are cited/listed in the main Commission report (Appendix 1)
Appendices	Appendix 1 – Healthier High Streets Commission Final Report Appendix 2 – Action Plan