

CABINET

9 APRIL 2024

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DESIGN CODE FOR THE BIRMINGHAM ROAD SITE

1. Decision:

The Cabinet:

- 1.1 Recommended to Full Council to adopt the Design Code for the Birmingham Road Site (BRS).
- 1.2 Recommended to Full Council that delegated authority is given to the Leader of the Council and Chief Executive to make minor changes to the BRS Design Code without referring to Council.

2. Statement of Reasons:

The Birmingham Road Site (BRS) Design Code sets out a vision and key principles of the site-specific needs for Lichfield's Birmingham Road Site.

Create Streets produced the Design Code following extensive 'deep' and 'wide' engagement with the public on the site. Between April 2022 and June 2022 Create Streets carried out online engagement using their Create Communities platform, receiving 5,747 responses. Between September 2022 and March 2023 Create Streets held three in-person events, holding discussions and surveying preferences with over 300 people, as well as placing posters for 'drop-in' comments at Lichfield District Council offices, and holding 12 in-depth stakeholder interviews.

Their public engagement produced a clear trend and a strong mandate from residents on their architectural preferences for respecting Lichfield's distinct and high-quality existing built environment, using materials and features that 'rhyme with' its historic core. In surveys, the top eight most popular buildings in Lichfield were heritage buildings, while a design using a fine-grained street network received 81 per cent support in a visual preference comparison

The principles collected in local engagement formed the basis for the final design code. This code sets requirements for buildings and public realm to re-stitch Lichfield City Station to the historic core of Lichfield, creating new homes and shops in a beautiful, walkable and green network of streets. Residents were consulted on the finished code between September to November 2023. It received very positive feedback, following further online and in-person engagement, as well as stakeholder interviews.

The Design Code is structured in line with the National Model Design Code (NMDC) and will inform parts of the 'area wide' design code being produced for Lichfield District by Building Design Partnership (BDP).

Once adopted, the Design Code will be used to judge planning applications associated with the Birmingham Road Site.

3. Any Alternative Options:

1. Do Nothing – Without an adopted BRS Design Code the council would be fully dependent on the planning system to control the type of development for the site.

2. Start the process again to provide a different Design Code – it's unlikely that such a process would create something different to the Design Code currently proposed, which has been subject to 18 months of consultation to help shape its content and is in line with National Model Design Code (NMDC).

LICHFIELD DISTRICT DESIGN CODE SUPPLEMENTARY PLANNING DOCUMENT

1. Decision:

The Cabinet:

- 1.1 Noted the progress of the Lichfield District Design Code to date, including the summary of the responses which were received to the informal consultation held at the end of 2023.
- 1.2 Approved the Lichfield District Design Code SPD (Appendix A) for the purpose of undertaking public consultation between April 22nd and June 3rd 2024 and approve the approach to consultation as detailed at paragraphs 3.9 to 3.11.
- 1.3 Delegated authority to the Cabinet Member for Housing & Local Plan, in consultation with the Policy & Strategy Manager to make any minor typographical and visual amendments to the SPD ahead of public consultation.

2. Statement of Reasons:

We have been working with consultants BDP to develop a design code to provide guidance on new development across the district. The code is a tool that will provide clear rules for new development to adhere to, including building heights, conservation and sustainability, among other topics. Following significant stakeholder engagement throughout 2023 the draft Lichfield District Design Code (**Appendix A** of the Cabinet Report – [Lichfield District Design Code, Baseline Report](#)) has now been prepared.

The Design Code needs to be adopted as a Supplementary Planning Document (SPD) and before we can do that, we are required to undertake formal consultation to enable all stakeholders to provide comments on the draft code. Following the consultation, we will review the representations received and make any necessary amendments to the document prior to seeking bringing the final document to Cabinet for adoption.

This report provides a brief update in terms of the progress of the Design Code to date and seeks Cabinet's approval to consult on the draft SPD and the how this will be done.

3. Any Alternative Options:

1. Cabinet determines that the proposed Lichfield District Design Code SPD requires further amendments prior to public consultation. These amendments would need to be considered and actioned prior to formal consultation being undertaken. Cabinet could delegate authority for such changes to the Cabinet Member.
2. Cabinet could decide not to consult upon the proposed SPD. Without such consultation it would not be legally possible for the council to adopt the document as an SPD.

DELIVERING TEMPORARY ACCOMMODATION FOR VULNERABLE ADULTS

1. Decision:

The Cabinet:

- 1.1 Approved the spend of commuted sums and Right to Buy receipts, projected to the end of the current financial year, on delivering new temporary accommodation in the district and to delegate the selection of units to the Cabinet Member for Housing & the Local Plan, S151 Officer and Assistant Director for Customer, Resident & Business Services, subject to a completed options appraisal (see recommendation 2.3 of the Cabinet report) and council approval of recommendation 2.4 of the Cabinet report.
- 1.2 Requested the purchase, refitting and management of the properties purchased using the funding agreed, for the purpose of delivering new temporary accommodation is carried out by the council's wholly owned company LWM Traded Services Ltd.
- 1.3 Acknowledged that a wrap-around support package will be required to ensure the welfare of individuals and families placed in the temporary accommodation units and the ongoing maintenance and management of units delegates the delivery of an options appraisal into the most effective support package delivery model to the Cabinet Member for Housing & the Local Plan, the S151 Officer and Assistant Director for Customer, Resident & Business Services, subject to the costs of the delivery being within approved budgets.
- 1.4 Recommended to Council to increase the approved budget in the capital programme for new temporary accommodation in the district by £979,000 from £1,178,000 to £2,157,000 with funding provided by additional projected housing capital receipts of (£979,000). Future commuted sums and capital receipts may be allocated to further affordable housing as part of the normal budget monitoring process.

2. Statement of Reasons:

This paper introduces a proposal for the council to directly intervene and invest in the current under provision of temporary accommodation across our district, where it is needed.

There are approximately 32 local individuals and families living in temporary accommodation in our district at any one time, with another five individuals / families who may need to be supported in the short-term. Every year, the council spends approximately £80,000 on this emergency accommodation to support local residents.

Due to a shortage of temporary accommodation in the district, families and individuals are often placed in emergency B&B accommodation, often outside of the district and away from the support networks and local facilities they rely on.

Currently the council holds more than £1.8million in commuted sums and Right to Buy receipts. A commuted sum is something the council can negotiate to receive, where affordable housing cannot be delivered within a housing development site (for example due to land constraints). The council can then invest the commuted sum off-site in affordable housing. The council also receives Right to Buy receipts, generated through Right to Buy sales of the housing stock transferred to Homezone (now Bromford), which can also be used to invest in affordable housing.

The council is also expecting to receive a further £1 million in commuted sums in the coming years, although there is no set date for when these receipts will be received, as it will depend on the progress of each related development.

The proposal set out in this paper is for these funds to be invested, through our wholly owned company (LWM Traded Services), to deliver more temporary accommodation across the district, including more 'housing first' housing pathway scheme units to support local rough sleepers

3. Any Alternative Options:

1. Commuted sums can only be invested into affordable housing. As such, the alternative option is to not invest the funds at this present time, however some commuted sums have a clawback period, so it is vital that the sums are invested to deliver positive outcomes in a timely fashion.

SKATEBOARD FACILITY AT BURNTWOOD LEISURE CENTRE

1. Decision:

The Cabinet:

- 1.1 Approved the installation of a new Skatepark facility at Burntwood Leisure Centre with operational management and responsibility for maintenance assigned to **the Council wholly owned company LWM Traded Services.**
- 1.2 Delegated to the Deputy Leader and Property Services and Estates Manager responsibility to agree all necessary agreements to facilitate the project subject to financial implications being within Approved Budgets.
- 1.3 Recommended to Council to include a project in the Capital Programme for the new Skateboard Facility of £106,000 with (£86,000) of funding provided by Section 106 and a contribution from Burntwood Town Council of (£20,000).

An amendment was made to recommendation 1.1 (2.1 of the Cabinet report) of this item which previously read:

That Cabinet approve the installation of a new Skatepark facility at Burntwood Leisure Centre with operational management and responsibility for maintenance assigned to the District Council.

2. Statement of Reasons:

The current skate park provision is located at Cherry Close in Burntwood at the rear of the Cherry Close Youth Centre.

Staffordshire County Council (SCC) are due to redevelop the site which includes the removal of the skate park and building on site. The current skate park is not suitable to be relocated and as such SCC will remove with no cost to the Council.

Council now proposes to install a skate park at Burntwood Leisure Centre to ensure the provision for local groups is still available.

An initial costing exercise has taken place, this has indicated to put in a new provision will be possible for the budget.

Annex A of the Cabinet report provides an outline proposal.

Full plans will need to be drawn up along with applying for planning permission and permission from the Coalfield Industry Social Welfare Organisation (CISWO) who own the land that the Council lease for the Burntwood Leisure Centre.

3. Any Alternative Options:

1. To not replace the facility.
2. To advocate for replacement of the facility by Staffordshire County Council or another organisation.
3. The skate park is provided at a different park within the Burntwood locality.

4. More funding is identified, and a larger, managed facility is installed.

LICHFIELD DISTRICT 2050 STRATEGY

1. Decision:

The Cabinet:

- 1.1 Reviewed the key findings from the public consultation on the draft strategy and agreed the amendments made to the strategy as a result.
- 1.2 Reviewed the feedback from Overview and Scrutiny Committee on the consultation results, the Strategy and the Delivery Plan.
- 1.3 Endorsed the Lichfield District 2050 Strategy and recommends its adoption by Full Council (Appendix B of the Cabinet report).
- 1.4 Agreed the Year 1 Delivery Plan (Appendix C of the Cabinet report).
- 1.5 Delegated finalising the details of the Lichfield District 2050 Strategy and the Year 1 Delivery Plan to the Leader of the Council and the Chief Executive, prior to final publication.

2. Statement of Reasons:

This report presents the Council's new strategic plan – Lichfield District 2050 Strategy – for approval by Cabinet prior to being considered by Full Council.

This report summaries how the Strategy has been developed, including the key findings from the public consultation on the draft strategy

3. Any Alternative Options:

1. Cabinet can choose to approve a different Strategic Plan, however this would delay approval and adoption.

**SECURING AN ANCHOR FOOD AND BEVERAGE TENANT FOR THE CINEMA COMPLEX
(PUBLIC)**

1. Decision:

The Cabinet:

- 1.1 Subject to the receipt of external assurance that the proposed Head of Terms and lease provides Best Value to the Council, approved and delegated authority to the three Council LLP Board Representatives (Leader of the Council, Chief Executive and Chief Operating Officer) to agree on behalf of the Council that the LLP enters a lease with the tenant. The delegation is based on the Head of Terms included in the confidential report, is subject to Council approving recommendation 2.2 of the Cabinet report and resulting financial implications for the Council remaining within Approved Budgets.
- 1.2 Agreed and recommended to Full Council to update the Medium-Term Financial Strategy:
 - To increase the budget in the Capital Programme by £1,700,000 to fund the capital contribution contained within the Head of Terms. The plan is for the borrowing need created by the capital contribution to initially be funded through internal borrowing.
 - Then to:
 - A. Either allocate the first £1,700,000 of capital receipts generated from the sale of land in the Birmingham Road Site to fund the capital contribution and negate the creation of borrowing need or;
 - B. In the event the capital receipt does not reach the £1,700,000 level, or Council does not approve its allocation to this project, to approve the identification of budgetary savings (to maintain the level of Approved risk 'headroom') equivalent to the Central Scenario annual Capital Financing Costs by ensuring no increase in the funding gap.
 - Continued the approach that the MTFs is based on a neutral (no surplus or deficit or capital receipts are included) budget position until more informed financial projections are provided through the Business Plan. Any future changes following receipt of the Business Plan will be reported in line with the Council's budget monitoring and any budget approvals will be in line with the budget framework

2. Statement of Reasons:

This is the latest in a series of papers which introduces and seeks the support of Cabinet and Full Council for the development of the old Debenhams building on Bakers Lane in Lichfield, in our capacity as 50% shareholder of the Darwin Prospect LLP, the company bringing forward this major city centre development.

The paper introduces a proposal for securing a national brand, high-quality anchor Food and Beverage (F&B) tenant for the development, alongside Everyman Cinemas. A preferred Anchor F&B tenant has been identified and discussions with them have progressed positively. The confidential report (see confidential appendix) introduces that preferred tenant and their 'Anchor F&B tenant' brand.

It also introduces a need to provide a capital contribution as part of a deal to attract the tenant. It identifies that doing so is both quite normal with the type of development we are invested in, but

will also significantly improve the overall quality of the new Three Spires Quarter we are seeking to develop.

3. Any Alternative Options:

The council could choose to not bring the Anchor F&B tenant to Lichfield and seek alternative F&B operators to compliment the Everyman cinema brand. However, a brand like this will support the council's aspiration to be able to draw other F&B providers to the site far more than any unknown, regional operator could.

Equally our ability to draw people to Lichfield from both inside the district, the county and broader region for the vibrancy of the city centre, is dependent on having a brand that appeals. The experience of other towns and cities is that having this F&B tenant located with them draws visitors from far and wide.

DECLARATIONS OF INTEREST

Councillor Silvester-Hall declared an interest in item 6 as a Staffordshire County Councillor.

Councillor Cox declared an interest in item 6 as a Staffordshire County Councillor.

Councillor M Wilcox declared an interest in item 6 as a Staffordshire County Councillor.

Councillor Pullen declared an interest in item 8 and 10 as a director of Darwin Prospects LLP.

Simon Fletcher declared an interest in item 5 and 6 as a director of LWM Traded Services and item 8 and item 10 as a director of Darwin Prospects LLP.

Kerry Dove declared an interest in item 5 and 6 as a director of LWM Traded Services and item 8 and item 10 as a director of Darwin Prospects LLP.

