



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

# Officer Delegated Decision

21<sup>st</sup> March 2024

Karen Bradford, Chief Executive



## Design Code Pathfinders Grant

Acceptance of the Design Code Pathfinders Grant and approval of the Memorandum of Understanding (MOU)

### Contact

Shaza Brannon, Planning Policy Manager

 [Shaza.brannon@southkesteven.gov.uk](mailto:Shaza.brannon@southkesteven.gov.uk)

<b>Decision made by:</b>	Karen Bradford
<b>Decision:</b>	<ol style="list-style-type: none"> <li>1) To formally accept the allocation of £80,000 Design Code Pathfinders programme grant from the Office for Place, Department for Levelling Up, Housing and Communities.</li> <li>2) To formally accept and sign the MoU document.</li> <li>3) To approve the setting up of a budget to enable the Design Code Pathfinders grant to be allocated and spent.</li> </ol>
<b>Public or Exempt:</b>	Public
<b>Reasons for exemption:</b>	N/A
<b>Conflicts of interest:</b>	No
<b>Policy compliant:</b>	Yes
<b>Details of delegation:</b>	Directors are authorised by virtue of the Council's Financial Regulations to accept any external funding and make the associated budget virements in line with the authorised limits set out in the regulations.

## 1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### ***Finance***

- 1.1 The Council has been awarded a grant of £80,000 to be spent on the preparation of a Design Code. The General Fund Revenue budget will be amended to reflect this grant award.

Completed by: Richard Wyles, Deputy Chief Executive and s151 Officer

### ***Legal and Governance***

- 1.2 The terms of the grant funding have been reviewed and are satisfactory. The spending of the grant money will be monitored accordingly by the finance team and Assistant Director of Planning to ensure compliance.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

## 2. The Purpose of the Report

- 2.1 South Kesteven District Council, in keeping with all Local Planning Authorities, are required to have a Design Code (or Codes) by the Levelling-up and Regeneration Act 2023 (15F in Schedule 7 – See **Background Papers**). The aim of the Design Code is to improve the design quality of new development in their areas. The requirement to produce a Design Code is mandatory, regardless of any strategies or policies the Council has separately developed.
- 2.2 The Government (Ministry of Housing, Communities & Local Government) have produced a guide to help Local Planning Authorities to produce Design Codes – this is the National Model Design Code (and Part 2 Guidance Note – see **Background Papers**). In addition, the Government have set up The Office for Place, a department aiming to provide support in raising design standards. The Council has a Design Supplementary Planning Document (Design Guidelines for Rutland and South Kesteven Design SPD) (see **Background Papers**).
- 2.3 On 6 February 2024, Cabinet approved (see **Background Papers**) the consultation on the Regulation 18 Draft Local Plan in accordance with the timetable contained

within the Council's Local Development Scheme (approved by Cabinet in May 2023 - see **Background Papers**). Consequently, the Council is currently developing policies in the emerging Local Plan regarding Design.

- 2.4 On 7 February 2024, the Office for Place opened another round of the local planning authorities Design Code Pathfinder programme (see **Background Papers**). There was a short window of opportunity to make a submission via an expression of interest. The Office for Place were looking for local authorities who had an adopted design codes or similar and who were keen to update or expand it, with support from the Office for Place.
- 2.5 Officers met the deadline and duly submitted an expression of interest. Against a large number of high-quality proposals, on 15 March 2024, the Office for Place confirmed South Kesteven has been selected to participate on the Design Code Pathfinders programme. £80,000 of funding will be made available to support South Kesteven District Council's participation. In addition to support from the Office for Place to expand or substantially adapt the existing design standards to produce an exemplar design code, South Kesteven District Council (as with all pathfinders) will be expected to have a focus on de-risking pathways to development and produce a delivery tool or mechanism to support the implementation of the code.
- 2.6 The new Design Code will be more prescriptive than the existing adopted Design SPD and would eventually replace it. Developers will be required to take full account of the Design Code and it will carry full weight in making decisions on new development proposals.
- 2.7 The funding allocated to the Council this financial year (i.e. £80,000) is required to be spent before the end of March 2024. The payment of the grant will be made in arrears and will be ring-fenced.
- 2.8 Whilst the funding aims to support the Council in the assessment of the effectiveness of the existing Design SPD and to create a new Design Code, the findings will also help inform new government policy, guidance and exemplar processes. The three goals of the funding are to:
  - Evaluate the implementation of existing Design Codes (or guides),
  - Share learning,
  - Significantly update or expand the design code for adoption.
- 2.9 A detailed memorandum of Understanding (MoU) has been issued, setting out the goals mentioned above and expectations of the 2024 Pathfinders programme. The Council are required to adhere to the requirements the MoU sets out.
- 2.10 The Council must decide whether to accept the grant funding and whether to sign and adhere to the MoU and register a decision to claim the funding by 21 March 2024.

### **3. Available Options Considered**

- 3.1 The Council could decide not to accept the grant funding, however it will still incur costs in preparing a Design Code as it is a mandatory requirement set out in the Levelling-up and Regeneration Act 2023.

### **4. Preferred Option**

- 4.1 To accept the grant funding to support the Planning Service in its preparation of a Design Code.

### **5. Reasons for the Decision(s)**

- 5.1 The Council is required to prepare a Design Code and will incur associated costs regardless of whether or not we chose to accept the grant funding, the provision of the grant funding will support the Council in preparing this Design Code.

### **6. Consultation**

- 6.1 The portfolio holder has been briefed and is supportive of the Council accepting the grant to facilitate the Design Code work.

### **7. Background Papers**

- 7.1 *Regulation 18 Draft Local Plan Consultation* – Report to Cabinet, published 6 February 2024 and available online at:  
<http://moderngovsvr/documents/s40693/Cabinet%20Report%20-%20Regulation%2018%20Draft%20Local%20Plan.pdf>
- 7.2 *New Design Code Pathfinders: Call for expressions of interest* - Guidance from the Office for Place, published 7 February 2024 and available; online at:  
<https://www.gov.uk/government/publications/new-design-code-pathfinders-call-for-expressions-of-interest/new-design-code-pathfinders-call-for-expressions-of-interest>
- 7.3 *Local Development Scheme for the Local Plan – Revised timetable (May 2023)* – Report to Cabinet, published 30 May 2023, available online at:  
<http://moderngovsvr/documents/s37841/LDS%20Cabinet%20Report%2023-26.pdf>
- 7.4 Levelling-up and Regeneration Act 2023, published 26 October 2023 and available online at: <https://www.legislation.gov.uk/ukpga/2023/55/enacted>

7.5 *Guidance: National Model Design Code* – Department for Levelling Up, Housing and Communities and Ministry of housing, Communities & Local Government, published 20 July 2021 and last updated 14 October 2021, available online at:

<https://www.gov.uk/government/publications/national-model-design-code>

## **8 Appendices**

8.1 **Appendix A:** Design Code Memorandum of Understanding between Department for Levelling Up, Housing and Communities and South Kesteven District Council

Signed by: **Karen Bradford**

Dated: **21 March 2024**