



The Neighbourhood Planning (Referendums) Regulations 2012 Regulation 4 (3b) Specified Document (v)

General information about town and country planning (including neighbourhood planning) and the referendum.

On Thursday 6th May 2021 there will be a referendum on a Neighbourhood Plan for Brailsford.

This statement explains more about the planning system, neighbourhood planning and how you can take part in the referendum.

The Town and Country Planning System

The purpose of the planning system is to help achieve sustainable development. This means deciding what gets built and where so that places can grow for homes, businesses and new technologies, without detriment to future generations and in a way that respects and protects the natural and historic environment. Without a planning system everyone could construct buildings or use land in any way they wanted, no matter what effect this would have on other people, or the landscape.

Most new buildings, major changes to existing buildings or major changes to the local environment need planning permission. In Brailsford, the Derbyshire Dales District Council is responsible for deciding whether (most forms of) development should go ahead. Decisions are based on the National Planning Policy Framework and Guidance, and the Local Plan.

National Planning Policy Framework

This provides guidance from Central Government to local planning authorities on how Local Plans should be drawn up and how decisions about planning applications should be made. See <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

The Development Plan

A development plan is a set of documents that contain policies for the development and use of land in a local planning area.

The Development Plan in Brailsford

The development plan in Brailsford is the Derbyshire Dales Local Plan (Adopted 2017). See www.derbyshiredales.gov.uk/localplan

Neighbourhood Planning

What is neighbourhood planning?

Neighbourhood planning was introduced under the 2011 Localism Act and enables local communities to write a Neighbourhood Plan – part of the statutory development plan – for their own area. Neighbourhood Plans must have regard to national planning policy, contribute to sustainable development, be in general conformity with strategic policies in the development plan for the area and be compatible with European Union obligations and human rights requirements.

Who makes Neighbourhood Plans?

Neighbourhood Plans are prepared by town or parish councils or neighbourhood forums.

How are they made?

There is a statutory process that must be followed. The plan must be prepared in consultation with local residents and businesses. An independent examiner checks that it meets legal requirements, reports whether any modifications should be made and recommends whether it should proceed to referendum.

The referendum asks residents to consider whether the local planning authority should use the neighbourhood plan to help it decide planning applications in the area concerned. All those registered to vote within the neighbourhood area are entitled to vote in the referendum.

What status do plans have?

If more than half of those voting have voted in favour of the neighbourhood plan, the local planning authority must make it part of the development plan (see above) for the area to be used in determining decisions on planning applications.

Brailsford Neighbourhood Plan 2019-2033

A draft plan was prepared by Brailsford Neighbourhood Plan Group on behalf of Brailsford Town Council, in consultation with local residents and businesses, and submitted to Derbyshire Dales District Council in January 2019. An independent examiner found that the plan, subject to modifications, met all the necessary legal requirements and could proceed to referendum.

If you would like to read the Act and the Neighbourhood Planning Regulations you can see them here:

<http://www.legislation.gov.uk/ukpga/1990/8/contents> The Town and Country Planning Act 1990

<http://www.legislation.gov.uk/uksi/2012/637/contents/made> The Neighbourhood Planning (General) Regulations 2012

<http://www.legislation.gov.uk/uksi/2017/1243/made> The Neighbourhood Planning Regulations 2017 (Amendments)

[Brailsford Neighbourhood Plan - Derbyshire Dales District Council](#)

The Referendum

A referendum on Brailsford Neighbourhood Plan will be held on Thursday 6th May 2021.

The question that will be asked in the referendum is:

“Do you want Derbyshire Dales District Council to use the neighbourhood plan for the Parish of Brailsford to help it decide planning applications in the neighbourhood area?”

The Neighbourhood Plan for Brailsford is the referendum version of the plan that contains the modifications recommended by the independent examiner.

The referendum area is identified on the map below. It is identical to Brailsford Neighbourhood Area (and Brailsford Parish.)

A person is entitled to vote in the referendum, if on 28 April 2021:

- the person is entitled to vote in a local government election in the referendum area; and
- the person’s qualifying address for the election is in the referendum area

A person’s qualifying address is, in relation to a person registered in the register of electors, the address in respect of which he or she is entitled to be registered

The referendum expenses limit that will apply is £2,422

A copy of the specified documents, that is those documents listed below, may be viewed as follows:

On-line at: <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/neighbourhood-planning/Brailsford-neighbourhood-plan>

In person at:

Derbyshire Dales District Council, Town Hall, Bank Road, Matlock DE4 3NN (Monday to Friday 9am – 5pm) BY APPOINTMENT ONLY – Call 01629 761335 or email electoral@derbyshiredales.gov.uk to book an appointment

The specified documents are:

- i. Brailsford Neighbourhood Plan (referendum version)
- ii. The report of the Independent Examiner
- iii. A summary of the representations submitted to the independent examiner
- iv. A statement by the local planning authority that the draft plan meets the basic conditions and complies with the relevant legislation
- v. This statement that sets out general information as to town and country planning (including neighbourhood planning) and the referendum

Voting Procedure

Am I registered to vote?

You have to be registered to vote no later than 19 April in order to vote in the referendum.

You can **check if you are registered** to vote by contacting The Electoral Registration Officer at Derbyshire Dales District Council, Town Hall, Matlock, DE4 3NN, tel 01629 761335 or by email at electoral@derbyshiredales.gov.uk

You can **register to vote** on-line at www.gov.uk/register-to-vote or contact Derbyshire Dales District Council on 01629 761335.

Ways of Voting

In person on 6 May 2021

Most people vote in person at their local polling station. A member of staff will help you if you are not sure what to do.

- You will receive a polling card telling you where your polling station is
- Polling stations are open from 7am to 10pm
- If you do not receive your polling card by 29 April 2020 , contact Derbyshire Dales District Council on 01629 761335

If you are unable to go to the polling station in person you can apply to vote by post or appoint someone to vote as a proxy on your behalf.

By post

Existing postal voters who receive a **postal vote** for local government elections will automatically receive one for the referendum. Those requiring a postal vote should contact Derbyshire Dales District Council on 01629 761335 or email electoral@derbyshiredales.gov.uk to request an application form. The deadline for receiving applications is 5pm on 20 April 2021. Postal votes will be dispatched from around 9 January 2020 and must be returned by 10pm on 6 May 2021. If you are given a postal vote you will not be able to vote in person at the polling station although you may, if you wish, hand your postal vote to the Presiding Officer at the polling station.

By proxy

Existing proxy voters who receive a **proxy vote** for local government elections will automatically receive one for the referendum. Those requiring a proxy vote should contact Derbyshire Dales District Council on 01629 761335 or email electoral@derbyshiredales.gov.uk to request an application form. The deadline for receiving applications is 5pm on 27 April 2021.

If you appoint a proxy you can still vote in person at the polling station but only if you get there before your proxy has voted on your behalf.

If you are appointed as a proxy for another person you can apply to exercise that vote by post but your application must be received by the Electoral Registration Officer before 5pm on 20 April 2021.

You cannot vote as a proxy for more than 2 people unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.

Emergency proxy

If after 5pm on 25 April 2021 you are unable to vote in person because you:

- have a medical emergency
- cannot go to the polling station because of work reasons

You can apply to vote by emergency proxy. Completed application forms must be received by the Electoral Registration Officer, Derbyshire Dales District Council, Town Hall, Matlock, Derbyshire, DE4 3NN by 5pm on 6 May 2021. Please contact Derbyshire Dales District Council on 01629 761335 if you require an emergency proxy.

INSERT MAP OF BRAILSFORD NP AREA



