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STATUTORY RULES OF NORTHERN IRELAND

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**2014 No. 197**

**The Business Improvement Districts (Miscellaneous)  
Regulations (Northern Ireland) 2014**

**Veto of BID proposals**

4.—(1) For the purposes of section 9(2) of the 2013 Act, the prescribed period is 70 days prior to the day of the ballot.

(2) For the purposes of section 9(3) of the 2013 Act, the prescribed circumstances are that the relevant district council is of the opinion the BID arrangements are likely—

- (a) to conflict with any development plan adopted under Part III of the Planning (Northern Ireland) Order 1991 which applies to the proposed business improvement district or any part of it,
- (b) to conflict with policy prepared under Part II of the Planning (Northern Ireland) Order 1991,
- (c) to conflict to a material extent with any policy formally adopted by and contained in a document published by the district council (whether or not the district council are under a statutory duty to prepare such a document) or
- (d) to be a significantly disproportionate financial burden being imposed on—
  - (i) any person entitled to vote in the ballot on the proposals, or
  - (ii) any class of such persons,

as compared to other such persons or classes.

(3) For the purposes of section 9(5) of the 2013 Act, the prescribed matters to which the district council shall have regard in deciding whether to exercise its veto are—

- (a) the level of support ( as evidenced by the result of the BID ballot or re-ballot, as the case may be) for the BID proposals, where this information is available;
- (b) the nature and extent of the conflicts referred to in paragraph 2(a);
- (c) the structure of the proposed BID levy and how the financial burden of the business improvement district is to be distributed amongst ratepayers in the geographical area of the business improvement district;
- (d) how the financial burden of the business improvement district may have been disproportionately distributed among ratepayers as a result of the selection of the geographic area or areas of the business improvement district;
- (e) the extent to which the BID proposer discussed the BID proposals with the district council before submitting the BID proposals to the council under regulation 5; and
- (f) the cost incurred by any person in developing the BID proposals and canvassing in relation to the BID proposals.