



# Local Government Act 2003

## 2003 CHAPTER 26

### PART 4 **E+W**

#### BUSINESS IMPROVEMENT DISTRICTS

##### *Miscellaneous*

#### 54 **Duration of BID arrangements etc** **E+W**

- (1) BID arrangements are to have effect for such period (not exceeding 5 years) as may be specified in the arrangements.
- (2) BID arrangements may be renewed for one or more periods each of which must not exceed 5 years, but only if the renewal of the arrangements on that or each occasion is approved by a ballot of the non-domestic ratepayers in the business improvement district who are liable for the BID levy.
- (3) The renewal of BID arrangements is not to be regarded as approved by a ballot held for the purposes of subsection (2) unless the two conditions in section 50 which apply to the approval of BID proposals are satisfied in relation to the renewal of the arrangements.
- (4) The Secretary of State may by regulations make provision—
  - (a) as to the alteration of BID arrangements, and
  - (b) as to the termination of BID arrangements.
- (5) The provision which may be made by virtue of subsection (4)(a) or (b) includes provision preventing or restricting the alteration or early termination of BID arrangements.
- (6) Nothing in subsection (5) is to be taken as limiting the power conferred by subsection (4).
- (7) No regulations under subsection (4) shall be made by the Secretary of State unless a draft of the statutory instrument containing the regulations (whether containing them

*Status: Point in time view as at 27/11/2003.*

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alone or with other provisions) has been laid before, and approved by a resolution of, each House of Parliament.

#### Commencement Information

- I1** S. 54 in force at 18.11.2003 for E. by [S.I. 2003/2938](#), [art. 3\(a\)](#) (with [art. 8](#), [Sch.](#))  
**I2** S. 54 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)

## 55 Regulations about ballots **E+W**

- (1) The Secretary of State may by regulations make provision in relation to ballots.
- (2) The provision which may be made by regulations under this section includes provision—
  - (a) as to the timing of ballots;
  - (b) as to the non-domestic ratepayers entitled to vote in a ballot;
  - (c) as to the question to be asked in a ballot;
  - (d) as to the form that ballots may take;
  - (e) as to the persons who are to hold ballots;
  - (f) as to the conduct of ballots;
  - (g) conferring power on the Secretary of State to declare ballots void in cases of material irregularity;
  - (h) for or in connection with enabling a billing authority to recover the costs of a ballot from such persons and in such circumstances as may be prescribed.
- (3) Nothing in subsection (2) is to be taken as limiting the power conferred by subsection (1).
- (4) No regulations under subsection (1) which include provision of the kind mentioned in subsection (2)(b) shall be made by the Secretary of State unless a draft of the statutory instrument containing the regulations (whether containing them alone or with other provisions) has been laid before, and approved by a resolution of, each House of Parliament.
- (5) In this section “ballot” means a ballot held for the purposes of section 49(1) or 54(2).

#### Commencement Information

- I3** S. 55 in force at 18.11.2003 for E. by [S.I. 2003/2938](#), [art. 3\(a\)](#) (with [art. 8](#), [Sch.](#))  
**I4** S. 55 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)

## 56 Power to make further provision **E+W**

- (1) The Secretary of State may by regulations make such supplementary, incidental, consequential or transitional provision as he considers necessary or expedient for the purposes of, in consequence of, or for giving full effect to, any provision made by or under this Part.
- (2) The provision which may be made under subsection (1) includes provision amending any enactment (whenever passed or made).

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- (3) No regulations under subsection (1) which include provision amending an Act shall be made by the Secretary of State unless a draft of the statutory instrument containing the regulations (whether containing them alone or with other provisions) has been laid before, and approved by a resolution of, each House of Parliament.

**Commencement Information**

- I5** S. 56 in force at 18.11.2003 for E. by [S.I. 2003/2938](#), **art. 3(a)** (with [art. 8](#), [Sch.](#))  
**I6** S. 56 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), **Sch. 1 Pt. I**

**57 Crown application** **E+W**

This Part binds the Crown.

**Commencement Information**

- I7** S. 57 in force at 18.11.2003 for E. by [S.I. 2003/2938](#), **art. 3(a)** (with [art. 8](#), [Sch.](#))  
**I8** S. 57 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), **Sch. 1 Pt. I**

**58 Wales** **E+W**

- (1) Sections 54(7), 55(4) and 56(3) do not apply in relation to Wales.
- (2) In their application in relation to Wales—
- (a) the remaining provisions of this Part have effect as if for each reference in those provisions to the Secretary of State there were substituted a reference to the National Assembly for Wales, and
  - (b) section 43(2)(b) has effect as if for the reference to a county council or parish council there were substituted a reference to a community council.

**Commencement Information**

- I9** S. 58 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), **Sch. 1 Pt. I**

**59 Interpretation of Part 4** **E+W**

- (1) In this Part—
- “BID arrangements” and “BID levy” have the meaning given by section 41;
  - “billing authority” means—
    - (a) in relation to England, a district council, a unitary county council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly; and
    - (b) in relation to Wales, a county council or county borough council;
  - “business improvement district” has the meaning given by section 41;
  - “enactment” includes an enactment contained in a local or private Act or comprised in subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30));

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“non-domestic ratepayer”, in relation to any area, means a person subject to a non-domestic rate under section 43 or 45 of the Local Government Finance Act 1988 (c. 41) (liability to non-domestic rates) because he is the owner or occupier of a hereditament situated in that area;

“prescribed” means prescribed by regulations made by the Secretary of State;

“unitary county council” means a county council that is the council for a county in which there are no district councils.

- (2) Other expressions which are used in this Part and in Part 3 of the Local Government Finance Act 1988 (non-domestic rates) have the same meaning in this Part as they have in that Part.

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**Commencement Information**

**I10** S. 59 in force at 18.11.2003 for E. by [S.I. 2003/2938](#), **art. 3(a)** (with [art. 8](#), [Sch.](#))

**I11** S. 59 in force at 27.11.2003 for W. by [S.I. 2003/3034](#), [art. 2](#), **Sch. 1 Pt. I**

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**Changes to legislation:**

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