
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in relation to business improvement districts. Business improvement districts are provided for in Part 4 of the Local Government Act 2003 as areas within which projects specified in the BID arrangements are to be carried out for the benefit of that district or those who live, work or carry on any activity in the district. Those projects are to be financed (in whole or in part) by a BID levy imposed on the non-domestic ratepayers, or a class of such ratepayers in the district. A business improvement district may only be established where those entitled to vote approve the BID proposals.

Regulation 2 provides for the billing authority to supply information from its non-domestic rates records to persons developing BID proposals. Authorities may charge for supply of this information.

Regulation 3 specifies the persons who may draw up BID proposals and regulations 4 and 5 specify the procedures to be followed in connection with drawing up of BID proposals and Schedule 1 specifies the matters to be included in them.

Regulation 6 provides that the returning officer for local elections in the billing authority area is to be the ballot holder for any ballot in respect of BIDs required under the Act or these Regulations and regulation 7 and Schedule 2 make provision for the arrangements for holding a ballot and the conduct of a ballot. Regulation 8 provides for who is entitled to vote in a ballot.

Regulation 9 confers a power on the Secretary of State to declare ballot void in cases of material irregularity and procedures connected therewith.

Regulation 10 enables a billing authority to recover the costs of a BID ballot or a renewal ballot from the BID proposer or BID body in the prescribed circumstances.

Regulation 11 provides for the billing authority to supply information from its non-domestic rates records for the purpose of canvassing in relation to a ballot. Authorities may charge for supply of this information. Provision is also made for inspection of the information to any person and for the restriction of the use of the information.

Regulation 12 prescribes the circumstances in which a billing authority may veto BID proposals, the period within which this is to be done and matters to which the authority is to have regard in deciding whether to exercise the veto. Regulation 13 makes provision in relation to appeals against the exercise of the veto.

Regulations 14 and Schedule 3 make further provision in relation to the BID Revenue Account.

Regulation 15 and Schedule 4 make provision with respect to the imposition, administration, collection, recovery and application of the BID levy. The provisions in Schedule 4 are based on the rules for the non-domestic rates in the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 (S.I. 1989/1058) and the Non-Domestic Rating (Collection and Enforcement)(Miscellaneous Provisions) Regulations 1989 (S.I. 1989/1060).

Provision is also made for the alteration of BID arrangements without or with an alteration ballot (regulations 16 and 17 respectively) and the circumstances in which BID arrangements may be terminated (regulation 18).

Regulation 19 provides for the supply of information by the billing authority to the ballot holder for the purposes of carrying out his functions under the Regulations. Regulation 20 provides for the expenses of the ballot holder in holding ballots under the Regulations to be paid by the billing authority.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Regulation 21 provides for electronic communication of notices etc. This provision does not apply to notices under Schedule 4 because that Schedule makes specific provision for electronic communication of demand notices etc.