



# **Rough guide to the regulations**

**May 2005**

## Rough Guide to the BID Regulations

The following is intended to be a summary of the Business Improvement District Regulations 2004 for people setting up BIDs, including links to other useful documents where relevant. It is not meant to be an exhaustive or legal account. If you have enquiries as to specifics within this document please contact one of the BIDs Team at Central London Partnership on 020 7478 8460 or refer to the actual text of the Regulations.

The full text of The Business Improvement Districts (England) Regulations can be found at <http://www.legislation.hmsso.gov.uk/si/si2004/20042443.htm>

Part 4 of The Local Government Act 2003 which deals with Business Improvement Districts can be found at <http://www.hmsso.gov.uk/acts/acts2003/30026--h.htm#41>

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## **1 Glossary of terms**

### **Application, citation, commencement and interpretation**

This section contains a list of terms used in the Regulations and their explanations. However, most of these terms have been explained in the rest of the document below.

*Commencement date* is the date that the BID arrangements come into force

*Data form* is information in a form capable of being processed by equipment operating automatically in response to instruction given for that purpose e.g. a computer

*Day of the ballot* is the day by which ballot papers should be returned

*Electronic communication* is communication transmitted either by means of telecommunication or in electronic form

*Hereditament* means any property or part of a property which is subject to business rates.

*Working day* is any day other than a weekend, Christmas Day, Good Friday or any other day classed as a Bank Holiday in England or Wales.

### **2 Obtaining information from the billing authority**

The person who is developing BID proposals should notify the billing authority in writing to request a list of non-domestic ratepayers in that area including the name, address and rateable value of each hereditament in the BID area. The letter should confirm that the list is used only for the purpose of developing the BID proposal. The letter should also contain a summary of the BID proposals to be developed, a description of the geographical area and any fee that the billing authority may request to supply the list.

The billing authority should ensure that the charge is reasonable and should supply the list in electronic form.

### **3 BID proposer**

The person who proposes the BID can be a non-domestic ratepayer or have an interest in land in the area or be the billing authority or be an organisation, one of whose purposes is developing BID proposals.

The BID proposer must notify the billing authority and the Secretary of State, in writing, of the intention to ask the billing authority to hold a ballot at least 84 days before formally requesting the billing authority to hold a ballot. See the template on page 10 and the timeline on page 18.

### **4 BID proposals (and Schedule 1)**

Please go to page 11 for a full explanation of what the BID proposals should include.

### **5 Instructions to hold a BID ballot**

Once the billing authority has received notification and all the appropriate information from the BID proposer it should instruct the ballot holder to hold the ballot. Please see the template on page 13.

### **6 Ballot holder**

The billing authority should appoint the ballot holder. This is likely to be the returning officer at the authority or another ballot service and may be one or more people.

## **7 Arrangements for holding a ballot and conduct of ballot (and Schedule 2)**

See the timeline on page 17 for more information.

The ballot will take place by post and each hereditament shall receive one vote. This means that some people may receive more than one vote and each vote will count.

When ascertaining the rateable value of each hereditament for the ballot, the values used will be those shown in the ratings list immediately prior to the end of the day of the ballot. No account will be taken of alterations not shown in the list.

### **Proxy Voting**

Anyone can be appointed proxy. A person entitled to vote can not have more than one proxy at the same time. The voter should apply to the ballot holder to appoint a proxy. The application for the appointment of a proxy should be signed by the applicant and should include the full name and address of the proxy, the address of the relevant hereditament and contain a statement confirming that the proxy has been consulted and is willing and able to be appointed as a proxy.

The application for proxy should be received no later than 5pm on the tenth day before the last day of the ballot period. If it is later it will be refused.

Once the application has been received and accepted by the ballot holder, the ballot holder should confirm in writing to the applicant, the name and address of the proxy. The ballot holder should also include these details on the list of people entitled to vote. The proxy will be for this BID ballot only.

If the application is refused, the ballot holder should notify the applicant in writing stating the decision and the reason why.

The proxy may be cancelled by the original voter or by the proxy, by informing the ballot holder no later than 5pm on the fifth day before the ballot day. Once the cancellation is received and accepted the ballot holder should notify both the person entitled to vote and the proxy and remove the name of the proxy from the list of people entitled to vote.

### **Requirement of secrecy**

Everyone involved in the ballot should maintain the secrecy of the voting, and not attempt to ascertain which way votes have been cast.

The ballot holder should ensure that anyone connected with the ballot papers has a copy in writing of the requirement of secrecy.

### **The ballot paper**

Each ballot paper may have a barcode printed on the back.

The box in which to mark the vote should not be less than 1.5cm sq.

All of the words on the ballot paper shall appear in the same size type and should include the wording set out in Sch 2, paragraph 8(5) of the Regulations. There is a sample provided from Westminster City Council on page 15.

No one shall be required to state the way in which he voted.

### **Procedure on issue of the ballot paper**

Each hereditament shall get one vote, which shall be sent to the address of the hereditament or principal place of business

within England, or the address of the proxy. The prepaid envelope should also contain a statement prepared by the ballot holder, which explains the BID and ballot arrangements and a prepaid return envelope. Only the ballot holder and his clerks should be present during the issue of ballot papers.

The ballot papers must be delivered by post – a universal service provider or any other holder of a licence to convey papers from one place to another, or any other means of delivery which does not require a licence (see part 6 of the Postal Service Act 2000

<http://www.hmsso.gov.uk/acts/acts2000/00026--c.htm#7>)

#### **Spoilt and lost ballot papers**

Spoilt ballot papers should be returned by hand or by post to the ballot holder no later than three working days before the day of the ballot, at which point another paper shall be issued. The replacement paper can be issued in person if the voter has returned the paper by hand. The spoilt paper will be immediately cancelled.

If a voter has not received the paper by the fourth working day before the ballot day he can apply to the ballot holder whether in person or not, for a replacement. The application should include proof of identification of the voter. If the application is accepted the ballot holder shall issue another paper. This can be done by hand if the voter applied in person. There is a template which can be used on page 16.

#### **Receipt of return ballot papers**

The ballot paper will only be counted if it is received by the ballot holder (either by hand or by post) or at any place for delivery specified in the notice of the

ballot, before 5pm on the day of the ballot. Once received the paper should be kept in a secure receptacle until the votes are counted. Only the ballot holder and his clerks shall be present at the receipt of the papers unless permitted by the ballot holder.

#### **The count**

As soon as is practicable after the day of the ballot the ballot holder should count and record the votes cast. Only the ballot holder and his clerks shall be present at the count of the votes unless permitted by the ballot holder.

#### **Rejected ballot papers**

If more than one paper is received bearing the same name or barcode as one already received, both papers shall be discounted. Any paper received that is unmarked or unsigned shall be discounted. Any paper that is marked in the wrong place, by a mark that is not a cross or by more than one mark will be counted, as long as the voting intention is clear.

#### **Decisions on ballot papers**

The decision of the ballot holder is final.

#### **Declaration of result**

The ballot holder should certify, declare and give public notice of: the total number of votes cast (other than those deemed as void), the total rateable value of the votes, the total number of votes cast in favour of the BID and the total rateable value of votes in favour of the BID.

#### **Validity**

No ballot shall be declared invalid as a result of any act or omission if a court considers that the ballot has been conducted substantially in accordance with Schedule 2 of the Local Government Act

2003 and as long as the act or omission did not affect the result.

A ballot shall be deemed to be valid unless proceedings are started in relation to it before the commencement of the BID arrangements (the formal start date).

### **Retention of ballot papers**

The ballot holder should retain the ballot papers for six months after the day of the ballot after which they should be destroyed unless otherwise directed by the High Court

### **8 Persons entitled to vote**

A person is entitled to vote if he is liable for the levy on the day that the notice of ballot is published. If more than one person is liable for a hereditament i.e. as partners or trustees, then it shall be a joint vote.

### **9 Declaring a ballot void**

The following people can write to the Secretary of State up to 28 days after the notice of the result is published to request him to declare a ballot void for reasons of material irregularity:

- BID proposer or BID body
- At least 5% of the voters
- The billing authority

Material irregularities are:

- A contravention of the Regulations where the result of the vote has been significantly affected
- People other than those entitled to vote have voted and the result has been significantly affected
- People entitled to vote have been prevented from voting or hindered from doing so freely and the result has been significantly affected

At this point the Secretary of State should notify the complainant, the billing authority and the BID proposer in writing including a copy of the request. If two or more requests are made then these can be considered together. Within 28 days of this notification any one of these bodies may serve written representations on the Secretary of State. These should be copied by the Secretary of State to all other parties and include a statement saying that within 14 days any party may serve further written representations on the Secretary of State. Any further written representations shall be copied by the Secretary of State to all other parties.

The Secretary of State shall notify all parties in writing of his decision. If he declares a ballot void he shall notify, in writing, the billing authority to arrange a re-ballot and if this is due to an act or omission by the BID proposer this will be made clear.

If a ballot is declared void the arrangements will not come into effect on the commencement date. If a re ballot is successful the billing authority will determine the commencement date which will not be later than a year after the date of the notice of the result is published.

### **10 Payment costs of a ballot**

If the vote in favour is less than 20% of those entitled to vote and the proposals were not approved in the ballot or the Secretary of State declares a ballot void, the billing authority may require the BID proposer to pay the costs of the ballot which include expenses incurred by the ballot holder.

### **11 Obtaining information from the billing authority for the purpose of canvassing**

The request, from the BID proposer or a group of people making up 5% of those entitled to vote, for the above information must be made in writing to the billing authority. There is a template which can be used on page 14. It should identify the BID ballot for which the request is made, and confirm that the information will only be used for the purposes of canvassing those entitled to vote. The request should also contain the fee, if there is one, imposed by the billing authority for supplying this information. This charge should be reasonable in regards to costs that may be incurred as a result of collating and supplying the information.

As soon as is practicable after instructing the ballot holder to hold a ballot the billing authority should provide for the ballot holder a document in electronic form from its non-domestic rates billing records including the name, address and rateable value of each occupied hereditament, and the owner of each unoccupied hereditament in the proposed BID area. This information should also be made available for any person to inspect at the main office, during normal working hours.

### **12 Veto of BID proposals**

Circumstances under which the billing authority may veto the proposals are:

- If the proposals conflict to a material extent with any policy adopted by the billing authority
- If the proposals mean that a voter has a significantly disproportionate financial burden compared to others in the BID area
- And that burden is caused by the manipulation of the BID area or BID levy and the burden is inequitable

The proposals may be vetoed up to 14 working days after the day of the ballot.

The billing authority should take into account the following before exercising its veto:

- The level of support for the BID proposals (as evidenced from the ballot result)
- The nature and extent of the conflict
- The structure of the levy and how the burden will be distributed amongst the ratepayers
- The extent to which the proposals were discussed with the billing authority before submitting them
- The costs incurred by any person, up to 14 working days after the day of the ballot, in relation to developing BID proposals and canvassing

### **13 Appeal against the veto**

A written appeal notice including a statement of the reasons for which the appeal is made should be sent to the Secretary of State within 28 days of the veto notice. There is a template which can be used on page 17.

The Secretary of State should then notify both parties in writing that the appeal notice has been made and send a copy to the billing authority. If two or more appeals relate to the same veto then these can be considered together. Within 28 days of this notification both parties may serve written representations to the Secretary of State. Copies of representations made should be sent to each party by the Secretary of State with a statement stating that further representations may be served within 14 days. These shall also be copied to each party by the Secretary of State.

The Secretary of State should take into account the following when deciding whether to allow an appeal:

- The level of support for the BID proposals (as evidenced from the ballot result)
- The nature and extent of the conflict
- The structure of the levy and how the burden will be distributed amongst the ratepayers
- The extent to which the proposals were discussed with the billing authority before submitting them
- The costs incurred by any person, up to 14 working days after the day of the ballot, in relation to developing BID proposals and canvassing

As soon as is practicable after a decision has been made the Secretary of State should send written notice to both parties.

#### **14 BID Revenue Account**

A separate BID account shall be kept by the billing authority for each BID.

#### **Credits to the account will include the following:**

Contributions from the billing authority or council whose area falls into the BID area and any other person required to contribute in accordance with the BID arrangements including levy payers; income from BID services and facilities (sums received by the authority for services provided by it excluding BID revenue contributions as above); debts recovered from a previous year or a debited amount from the previous year that has been reduced and any credit balance for the previous year.

#### **Debits to the account will include the following:**

Cost of collection of BID levy, expenditure in respect of the BID arrangements,

provision for bad debts which have been written off from the previous year and any debit balance for the previous year.

If a BID comes to an end, and the account is in credit to the sum of at least £5 for each levy payer after all transactions have been made, then the billing authority should calculate the refund to each levy payer by reference to the amount of levy that each was liable for the last chargeable period and refund it. If the amount is not in credit to that amount then the balance shall be carried over to the billing authorities general fund.

#### **15 Administration of the BID levy etc**

The billing authority should make ready, by the BID start date, all arrangements for collection of the BID levy.

Notification of demand for payment of the levy may be sent electronically or may be accessed on a website if agreed. In this instance the person should be notified that the notice has been placed on the website including the address of the site and the place on the site where the notice may be accessed. For the purposes of legal proceedings a notice shall be treated as served on the second day after it was sent or the document was published on the website.

Any change in address notified in writing by a person shall take effect on the third working day after that date on which the change in address notification is received by the billing authority.

#### **Requirement for demand notices**

The billing authority shall issue a notice in writing for each chargeable period to each levy payer regarding each hereditament. A single notice may cover more than one hereditament. If this is the case, each

amount due under it will be treated separately.

### **Content of demand notices**

A demand notice will contain the following:

- A statement of the address and hereditament to which the notice relates
- A statement explaining how the BID levy is calculated
- A statement of the day(s) on which the BID levy was calculated

And information on the following:

- The revenue from the BID levy that the billing authority was due to receive the previous year
- The amount spent on BID arrangements the previous year
- A description of the matters on which it was spent
- A description of the matters on which income from the current financial year is due to be spent

### **Invalid notices**

If a demand notice is invalid because it does not comply with the above due to a mistake, the notice should be treated as if it were valid. As soon as practicable after discovering the mistake the billing authority shall issue the missing item(s).

### **Service of demand notice**

A demand notice shall be served as soon as practicable after the first day of the charging period. If a person becomes liable later in the charging period then the demand notice will be sent the first day after the person becomes liable.

A demand notice can be served before the beginning of the charging period if the billing authority considers that a person will become liable for the levy.

### **Payments under demand notices**

If a demand notice is served before or during the charging period, the amount to be paid will be equal to the billing authority's estimate of the amount payable. In making an estimate, the billing authority will assume that the person will continue to be liable for the levy for the whole charging period. If this is not the case then the amount payable will be calculated up until the day to which the person was last liable for the levy. If the person becomes liable again, a further notice shall be served. The amount due to be paid will be calculated from the day on which the person became liable to be levied again. In this case, if a demand notice is issued after the end of the charging period in which the person became liable again, it will require payment for the remainder of that period.

### **Payments under demand notices: further provision**

Unless an agreement has been reached prior to serving the demand notice on the amount payable in cases where a person will cease to be liable to pay the levy, the notice shall require the estimate of the amount payable at the end of the period (being not less than 14 days) after the day of issue of the notice. An agreement may be made between the billing authority and the levy payer, and they can also agree the manner in which the notice is paid. The agreement can be entered into either before or after the demand notice is issued and it may make provision for the cessation or adjustment of payments, and for the making of fresh estimates if the previous estimate is wrong. If it is entered into after the demand notice is issued, it may make provision to deal with any sums paid before it was entered into.

Where a person is liable for only part of a charging period or a further demand notice

has been issued, the payment will be required at the end of the charging period (being not less than 14 days) after the day of issue of the notice.

No payment shall be made by any levy payer unless a demand notice requires it.

#### **Demand notices: final adjustment**

Final adjustments occur where:

- A notice has been issued requiring payment(s) by a levy payer in relation to a hereditament for a chargeable period or part of a chargeable period
- The payments required are in excess of or less than the amount payable in relation to the hereditament for the period or the part period, and
- Provision for adjusting the amounts required for making of additional payments or refunding or crediting overpaid amounts is not made by any other provision or by the agreement made above.

The billing authority shall, as soon as practicable after the expiry of the period or part period, serve further notice on the levy payer stating the whole amount payable for the period and adjusting the actual amount required to be paid, whilst stating the adjustment made.

If the amount stated in the further notice is greater than the original estimate, the difference shall be due from the levy payer to be paid to the billing authority on the expiry of the period (not less than 14 days) after the day of issue.

If there has been an overpayment, the amount overpaid shall be repaid, if the levy payer requires it, or credited against subsequent payments required either of the levy or non-domestic rate.

#### **Enforcement**

The same enforcements set out in Part 3 and Schedules 2 to 4 of the Non-Domestic Rating Regulations 1989 shall apply with the various modifications found in the BID regulations.

#### **Outstanding liabilities on death**

If a levy payer dies and an amount has not been paid, his executor shall be liable to pay the sum and it will be treated as a debt to the deceased. Accordingly no liability order need be applied for in respect of it under regulation 12 of the 1989 Regulations. The executor will not pay the sum if the amount is in excess of the deceased liability, and the executor will not become liable until a demand notice is served on him. If an amount in excess of the person's liability before death has been paid and has not yet been repaid or credited, the executor will be entitled to the sum. The executor may institute, continue or withdraw proceedings as is relevant to his liability.

Costs shall be classed as relevant costs in respect of regulation 12(6)(b) or (7) or 16(4)(b) or regulation 20 of the 1989 Regulations or as charges connected with the holding of property against the debt (distress) which may be recovered according to regulation 14(2)(b) of the 1989 Regulations.

#### **Application of BID administration provisions to the Crown**

No contravention of BID administration by the Crown shall make the Crown criminally liable, but the High Court may declare unlawful any act or omission by the Crown which constitutes such a convention, on application by the billing authority. However, the Crown should abide by these regulations regarding collecting the levy in the same manner as

which they apply to any other person. Her Majesty's privately owned or occupied hereditaments (whether occupied or not) will not be subject to power of entry. See section 38(3) of the Crown Proceedings Act 1947.

#### **Joint occupiers and owners: billing**

Where there may be more than one person liable for the levy they will be jointly and individually liable to pay. A notice may be served individually to each or any of the levy payers or single notice may be served jointly to the partnership or trust liable for the levy and will reference 'the person who is liable to pay the BID levy'. A notice given to a partnership or trust may be served in the case of a partnership, in the manner described in section 233(3)(b) of the Local Government Act 1972; or in the case of a trust, by being served on one of the trustees.

Where a notice is served to more than one person for the same amount, the billing authority shall notify each person of that fact. Any payment made towards the levy by a person shall be treated as satisfaction of the amount for which he is solely liable unless and until he is no longer liable. Where the description of the levy payer requires that the person should be a charity or trustees for a charity this will be met if one or more of the persons liable are a charity or trustees for a charity.

Where an amount may need to be repaid it may be repaid to the person(s) concerned as set out in the original contract or agreement between the joint owners or occupiers.

#### **Joint owners and occupiers: enforcement**

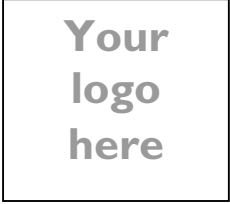
The recovery of payments will be enforced in accordance with Part 3 and Schedules 2

to 4 of the 1989 Regulations, with various modifications detailed in the Regulations. A reminder notice will be sent out to those to whom a liability order is being applied for. A liability order gives the council the power to request information from the levy payer to enable collection of the debt and may be made against one or more persons. Where a liability order has been made against them, their property may also be held against the payment of the debt (distress). Where property is held, a warrant of commitment may also be applied for. A warrant of commitment allows the debtor to be detained in custody. Where a liability order has been made against more than one person and a warrant of commitment is issued against one of them no further steps may be taken against any of the others in relation to the unpaid levy. However jointly owned goods may be held against the debt.

#### **Enforcement in relation to partnerships**

A liability order will be made against the firm's name if there is an unpaid amount and the order will be as if it were made against each partner concerned. The liability order should be delivered to the principal office of the partnership. The partnership's property may be held against the debt and the partners held jointly and severally responsible from any charges arising from this action. Where a liability order is made the 1989 Regulations and Insolvency Act 1986 should be referred to. Insolvency proceedings can be brought against the partners and the partnership in accordance with the Insolvent Partnerships Act 1994.

Rt Hon Jim Fitzpatrick MP  
Minister for London  
26 Whitehall  
London  
SW1A 2WH



Dear Minister [? Rt Hon Jim Fitzpatrick MP on env]

**Name of BID – intention to hold a ballot**

As per the BID Regulations (2004) please accept this letter as 84 days notification of the intention of requesting the billing authority to put the BID proposal to a ballot:

**Name of BID:** *Name of BID*

**Name of billing authority:** *Name of billing authority*

**Contact details:** *Name of Co-ordinator, address, telephone number, email*

**Timeline:** *Include ballot date and proposed start date of BID*

If you have any questions, please contact me on .....

Yours sincerely

*Name of sender*

**Position of sender**

## Writing a BID Proposal

The Regulations for Business Improvement Districts (BIDs) give point-by-point instructions for writing a BID proposal for submission to the billing authority. The required contents of the proposal are summarised below. It should be remembered that billing authorities may ask for additional information to be submitted so it is vital to maintain open communications with them to be aware of other issues.

### Section A – BID proposer

The person who draws up and sends the BID proposals to the billing authority must either:

- Be a non-domestic ratepayer in relation to a hereditament which would be located within the boundary of the proposed BID;
- Have an interest in land (which would be located within the boundary of the proposed BID) as freeholder, mortgagee, lessee or directly or indirectly receives rent for the land;
- Be a body (corporate or unincorporated) who would develop the BID proposals; or
- Be the relevant billing authority

Please note that the person who intends to draw up the BID proposals should notify the Secretary of State at least **six weeks** before sending the notice to the billing authority to hold the ballot.

### Section B – BID proposal

The proposal for a BID should include a description of the proposed BID arrangements:

1. The works or services to be provided and who will provide them (whether this will be the BID body or the billing authority)
2. A summary of the existing baseline services (if any) provided by the billing authority
3. The content of the business plan, which should include:
  - a. Estimated cash flow
  - b. Estimate of the predicted revenue to be generated and the predicted expenditure to be spent under the BID arrangements
  - c. The predicted budget over the duration of the BID arrangements and the contingency margin included in the budget
4. The geographical area (including a map) in which the proposed BID arrangements are to have an effect
  - The boundary line should not be drawn through any hereditament
5. A list of the non-domestic ratepayers in the area who are liable to pay the BID levy, an explanation of how the amount of BID levy is calculated and what, if any, of the costs of developing the BID proposal, holding the ballot or implementing the BID, will be recovered through the BID levy.
6. A list of the non-domestic ratepayers who fall into categories at which any relief from the BID levy is to apply (and an explanation of those levels and categories)
7. An explanation of the process by which BID arrangements may be altered without an alteration ballot (and to which arrangements this would apply)
8. The duration of the BID

9. The proposed commencement date for the BID arrangements which give effect to the BID proposals
- The proposed commencement date should be at least 84 days after the date that the notice was sent to the billing authority to instruct the ballot holder to hold the ballot, or after the notes in the 'supplementary information' section have been complied with, whichever is later
  - The proposed date should be no later than 365 days after the date of the notice sent above to the billing authority

### **Section C – Supplementary information**

The BID proposal should be sent to the billing authority along with:

- a summary of the consultation process it has undertaken with those people liable to pay the BID levy
- the content of the proposed agreement with the billing authority including
  - the financial management arrangements for the BID body; and
  - the arrangements for periodically providing the billing authority with information on the finances of the BID body
- a notice requesting the billing authority to instruct the ballot holder to hold a BID ballot

The BID proposal should also satisfy the billing authority by providing information to prove that:

- the BID body has sufficient funds to meet the costs of the ballot should it be required to do so

A copy of the BID proposals should be made available to each person who is liable to pay the levy.

Remember to:

- Keep the plan concise
- Use a cover page with names and dates of publication
- Include a contents page with numbered sections
- Edit and check the plan for inaccuracies

Name  
Title  
Name of Billing Authority  
Add1  
Add2  
Add3  
Postcode

Dear *name of relevant person*

**Name of BID – intention to hold a ballot**

As per the BID Regulations (2004) please accept this letter as 84 days notification of the intention of requesting the billing authority to put the BID proposal to a ballot:

**Name of BID:** *Name of BID*

**Name of billing authority:** *Name of billing authority*

**Contact details:** *Name of Co-ordinator, address, telephone number, email*

**Timeline:** *Include ballot date and proposed start date of BID*

If you have any questions, please contact me on .....

Yours sincerely

*Name of sender*

**Position of sender**

CC: *To relevant person at billing authority*

**Items that should be enclosed with this letter:**

- A copy of the BID proposals with a summary of:
  - The consultation undertaken with the persons liable to pay the levy
  - The proposed business plan (inc estimated cash flow, predicted revenue, expenditure, budget and contingency margin)
  - The financial management arrangements for the BID body and arrangement for periodically contacting the billing authority

Name  
Title  
Add1  
Add2  
Add3  
Postcode



Dear name (*this should be the relevant person in the ratings department of the billing authority*)

**Name of BID – request for information**

As per Business Improvement District Regulation 11 (2004) would you please send to me, in data form, preferably electronic, the following information as soon as is practicable:

- The name of each non-domestic ratepayer, and address, rateable value and email address of each occupied hereditament; and
- The name of each owner, address, rateable value and email address of each unoccupied hereditament;

in the geographical area to which the BID proposals relate as shown in the attached map.

I confirm that the information requested will be used only for the purpose of canvassing persons entitled to vote in the BID ballot.

Following agreement of a fee imposed by the billing authority for the supply of this information I enclose the sum of *£insert figure here*.

*OR (delete as applicable)*

Please advise as to the possible charges connected with the supply of the above information as per Regulation 11, paragraph 6.

If you have any questions, please contact me on .....

Yours sincerely

*Name of sender*  
**Position of sender**

CC: *To relevant person at billing authority*

**HEART OF LONDON  
BUSINESS IMPROVEMENT DISTRICT (BID)**

**BALLOT PAPER**

Are you in favour of the Business Improvement District proposals for :

Bear Street	Jermyn Street	Panton Street
Charing Cross Road	Leicester Court	Piccadilly
Coventry Street	Leicester Place	Regent Street
Cranbourn Alley	Leicester Square	Rupert Street
Cranbourn Street	Leicester Street	Shaftesbury Avenue
Denman Street	Longs Court	Sherwood Avenue
Glasshouse Street	New Coventry Street	St Martin's Street
Great Windmill Street	Orange Street	Wardour Street
Haymarket	Oxendon Street	Whitcomb Street
Irving Street		

Place a cross (X) in the box of your choice.

YES  NO

This vote is in respect of:-

OFFICES & PREMS 2ND FLOOR STH  
32-34 PANTON STREET  
LONDON  
SW1Y 4EA

I confirm that I am entitled to vote in respect of this hereditament

Signed \_\_\_\_\_

Name \_\_\_\_\_

(in BLOCK CAPITALS)

Position \_\_\_\_\_

(NB where the person entitled to vote is a company or partnership, please state the position held by the person signing)

**NOTE**

For your vote to be valid this ballot paper must be signed and returned to the ballot holder at Westminster City Council, Electoral Services, 15th Floor, City Hall, 64 Victoria Street, London, SW1E 6QP by 5pm on 30 December 2004.

Peter Rogers, Ballot Holder

*Name of ballot holder*

*Billing Authority*

*Add1*

*Add2*

*Add3*

*Postcode*

Dear

***Name of BID – Replacement ballot paper***

I understand that if I have not received my ballot papers by the fourth working day before the day of the ballot I can apply for a replacement paper.

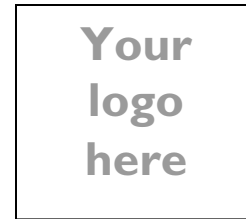
As per the BID Regulations (2004) please accept this letter as a request for a replacement ballot paper for the proposed *name of BID* in the *insert name of Local Authority*. Accordingly I enclose *insert form of I.D. here* as proof of my identity.

Yours sincerely

*Name of sender*

***Position of sender***

Rt Hon Jim Fitzpatrick MP  
Minister for London  
26 Whitehall  
London  
SW1A 2WH



Dear Minister [Rt Hon Jim Fitzpatrick MP on env]

**Name of BID – Appeal notice against the veto**

As per the Regulations please accept this letter as an appeal notice against the veto notice given by *the billing authority*.

The statement of the reasons for which the appeal is made is below:

- Reason
- Reason

Yours sincerely

*Name of sender*

**Position of sender**

*CC: To relevant person at billing authority*

NB: Situations when this letter might be sent:

When the billing authority is of the opinion the BID arrangements are likely -

- (a) to conflict to a material extent with any policy adopted by and contained in a document published by the authority (dependant on the nature and extent of the conflict; or
- (b) to be a significantly disproportionate financial burden on any person or class of persons (as compared to the other non-domestic ratepayers in the geographical area of the BID) and that burden is caused by the manipulation of the geographical area of the BID or by the structure of the BID levy; and that burden is inequitable (dependant on the structure of the proposed BID levy and how the financial burden of the BID is to be distributed amongst ratepayers in the geographical area of the BID); or
- (c) depending on the level of support (as evidenced by the result of the BID ballot) for the BID proposals; or

The billing authority must also take into account the extent to which the BID proposer discussed the BID proposals with the authority before submitting the BID proposals to the authority, and the cost incurred by any person in developing the BID proposals and canvassing in relation to the BID proposals up to the end of the 14 day veto period (14 days from the ballot date).

