
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 202

**The Business Improvement Districts
(Scotland) Regulations 2007**

Termination of BID arrangements

- 19.**—(1) The local authority may terminate BID arrangements where—
- (a) in the opinion of the authority, the BID body will have insufficient finances to meet its liabilities for the current chargeable period and the authority has—
 - (i) offered the BID body a reasonable opportunity to arrange for financing the shortfall or for a reduction in the works or services under the BID arrangements which is sufficient to offset the shortfall; and
 - (ii) given those persons who are liable to the BID levy an opportunity, at a public meeting, to make representations in relation to the termination of the BID arrangements; or
 - (b) the authority is unable, due to any cause beyond the control of the authority, to provide works or services which are necessary for the BID arrangements to continue and the authority has (where there is a BID body) consulted the BID body and conducted a consultation with such representatives of the business community for the geographical area of the business improvement district as the authority considers appropriate.
- (2) Subject to paragraph (3), the BID body may terminate the BID arrangements where—
- (a) the works or services to be provided under the BID arrangements are no longer required; or
 - (b) the BID body is unable, due to any cause beyond its control, to provide works or services which are necessary for the BID arrangements to continue.
- (3) The BID body shall take no steps to terminate the BID arrangements until it has consulted the local authority and conducted a consultation with such representatives of the business community for the geographical area of the business improvement district as the authority considers appropriate.
- (4) The local authority shall notify the BID body in writing of its intention to terminate the BID arrangements under paragraph (1) at least 28 days before the date of the termination.
- (5) The BID body shall notify the local authority in writing of its intention to terminate the BID arrangements under paragraph (2) at least 28 days before the date of the termination.
- (6) Where BID arrangements are terminated under this regulation the local authority shall, as soon as is reasonably practicable, give notice of the termination in writing to each person liable for the BID levy and the notice shall include an explanation of whether a repayment under regulation 16(4) is to be made.
- (7) In the event of a disagreement between the local authority and the BID body in relation to whether circumstances have occurred under this regulation that would enable the termination of BID arrangements, the matter shall be referred to the Scottish Ministers for determination as to whether those circumstances have occurred.