

2014 No. 3199

LOCAL GOVERNMENT, ENGLAND

**The Business Improvement Districts (England) (Amendment)
Regulations 2014**

<i>Made</i>	- - - -	<i>1st December 2014</i>
<i>Laid before Parliament</i>		<i>4th December 2014</i>
<i>Coming into force</i>	- -	<i>27th December 2014</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 42, 55(1) and (2)(e) and 123(1)(a) of the Local Government Act 2003(a).

Citation, commencement and application

1.—(1) These Regulations may be cited as the Business Improvement Districts (England) (Amendment) Regulations 2014 and come into force on 27th December 2014.

(2) These Regulations apply in relation to England only.

Amendment of the Business Improvement Districts (England) Regulations 2004

2.—(1) The Business Improvement Districts (England) Regulations 2004(b) are amended as follows.

(2) In regulation 6 (ballot holder)—

(a) at the beginning of paragraph (1), insert “Subject to paragraph (1A),”;

(b) after paragraph (1), insert—

“(1A) Where the relevant billing authority is the Common Council of the City of London—

(a) paragraph (1) shall not apply; and

(b) the ballot holder shall be the town clerk.”;

(c) after paragraph (2), insert—

“(3) In this regulation “town clerk” has the same meaning as in section 4(1) of the City of London (Various Powers) Act 1957(c).”.

(3) In paragraph 8 of Schedule 5, after “regulation 6(1)” insert “and 6(1A)”.

(a) 2003 c. 26.

(b) S.I. 2004/2443; Schedule 5 was inserted by S.I. 2013/2265.

(c) 1957 c. x; section 4 was amended by section 3(2) and (3) of the City of London (Various Powers) Act 1968. There are other amendments to section 4, but none are relevant to these Regulations.

Signed by authority of the Secretary of State for Communities and Local Government

1st December 2014

Penny Mordaunt
Parliamentary Under Secretary of State
Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 4 of the Local Government Act 2003 provides for the establishment of Business Improvement Districts. These are areas within which projects specified in the Business Improvement District arrangements are to be carried out for the benefit of that district or those who live, work or carry on any activity there. Those projects are to be financed (in whole or in part) by a Business Improvement District 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 Business Improvement District proposals.

The Business Improvement Districts (England) Regulations 2004 (S.I. 2004/2443) (“the 2004 Regulations”) provide further detail as to how Business Improvement Districts are to be established and regulated. Regulation 6 of the 2004 Regulations prescribes the person who is to hold a Business Improvement District ballot, renewal ballot, alteration ballot or re-ballot (“the ballot holder”). These Regulations amend the 2004 Regulations to prescribe the town clerk of the City of London as the ballot holder for that authority.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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£4.25

UK2014120218 12/2014 19585

<http://www.legislation.gov.uk/id/uksi/2014/3199>

ISBN 978-0-11-112451-2



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