
STATUTORY INSTRUMENTS

2015 No. 582

LOCAL GOVERNMENT, ENGLAND

The Community Right to Challenge (Business Improvement Districts) Regulations 2015

Made - - - - 5th March 2015

Coming into force in accordance with regulation 1

The Secretary of State, in exercise of the powers conferred by section 81(6)(e) of the Localism Act 2011⁽¹⁾, makes the following Regulations.

In accordance with section 235(6) and (7)(f) of that Act, a draft of these Regulations has been laid before and approved by a resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Community Right to Challenge (Business Improvement Districts) Regulations 2015 and come into force on the day after the day on which they are made.

Interpretation

2. In these Regulations—

“BID” means business improvement district;

“BID arrangements” means—

- (a) “BID arrangements” within the meaning given in section 41(1) of the Local Government Act 2003⁽²⁾;
- (b) “joint BID arrangements” within the meaning given in regulation 1A of the Business Improvement Districts (England) Regulations 2004⁽³⁾;
- (c) “BRS-BID arrangements” within the meaning given in paragraph 2(1) of Schedule 2 to the Business Rate Supplements Act 2009⁽⁴⁾;
- (d) “joint BRS-BID arrangements” within the meaning given in regulation 22 of the Business Improvement Districts (Property Owners) (England) Regulations 2014⁽⁵⁾;

(1) 2011 c. 20.
(2) 2003 c. 26.
(3) S.I. 2004/2443. Regulation 1A was inserted by S.I. 2013/2265.
(4) 2009 c. 7.
(5) S.I. 2014/3204.

“BID body” means, where a local authority BID body is not responsible for implementing the BID arrangements, the body (whether corporate or not) responsible for implementing the BID arrangements;

“billing authority” has the meaning given in section 59(1)(a) of the Local Government Act 2003;

“business improvement district” has the meaning given in section 41(1) of the Local Government Act 2003;

“local authority BID body” means, where the relevant billing authority or a company under the control of that authority (within the meaning given in section 68 of the Local Government and Housing Act 1989⁽⁶⁾) is responsible for implementing the BID arrangements, that authority or, as the case may be, that company;

“relevant billing authority” means the billing authority for the area of the BID.

Specification of Business Improvement District bodies

3. A BID body is specified for the purposes of section 81(6)(e) of the Localism Act 2011.

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

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

5th March 2015

(6) 1989 c. 42. Section 68 has been amended by S.I. 2007/2194 and 2009/1941.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations specify Business Improvement District bodies as a “relevant body” within the meaning of section 81(6) of the Localism Act 2011 (“the 2011 Act”). Under the 2011 Act, relevant authorities, defined as including a county council, a district council or a London borough council, are required to consider an expression of interest submitted by a relevant body in relation to providing, or assisting in providing, a service provided by or on behalf of a local authority.

Article 2 defines Business Improvement District bodies for the purposes of these Regulations. Under Article 2, this is the body, or bodies, responsible for implementing “BID arrangements”; however, the definition does not include a “local authority BID body” or bodies which are part of a joint arrangement with other bodies responsible for implementing BID arrangements where one of the bodies in the joint arrangement is a local authority BID body.

Article 2 defines “BID arrangements” and “local authority BID body” for the purposes of these Regulations.