
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 202

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

Alterations of the BID arrangements following a ballot

18.—(1) Where there is a proposal to alter—

- (a) BID arrangements and those arrangements do not include a provision allowing for the arrangements to be altered without a ballot; or
- (b) the geographical area of the business improvement district,

the BID body may alter the BID arrangements in accordance with this regulation.

(2) An alteration of the BID arrangements under this regulation is not to come into force unless the alteration proposals are approved by a ballot of the non domestic ratepayers (and, if applicable, the other eligible persons entitled to vote) who are to be liable for the BID levy under the BID arrangements (as altered) (“an alteration ballot”) and they are not to be regarded as approved by an alteration ballot unless—

- (a) the number of votes cast in favour of the BID proposals exceeds the number of votes cast against the alteration proposals, in the same manner as calculated for the original arrangements under section 40(3) of the 2006 Act; and
- (b) A exceeds B in the same manner as calculated for the original arrangements under section 40(4) and (7) to (10) of the 2006 Act,

but provided that the alteration proposals may specify that alternative voting conditions will apply to the alteration ballot, as they could (had they been specified) have applied to the original ballot in terms of section 41 of the 2006 Act.

(3) Where BID arrangements are altered pursuant to this regulation, the local authority shall ensure the BID arrangements (as altered) are made by the time those BID arrangements (as altered) are to come into force.