
WELSH STATUTORY INSTRUMENTS

2005 No. 1312

The Business Improvement Districts (Wales) Regulations 2005

Alterations of the BID arrangements following a ballot

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

- (a) BID arrangements which do not include a provision allowing for the arrangements to be altered without a ballot;
- (b) the geographical area of the BID; or
- (c) the BID levy in such a way that would —
 - (i) cause any person to be liable to pay the BID levy who was not previously liable to pay; or
 - (ii) increase the BID levy for any person,the BID body or, where a local authority BID body is responsible for implementing the BID arrangements, the relevant billing authority 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 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) a majority of the persons voting in the alteration ballot have voted in favour of the alteration proposals; and
- (b) the aggregate of the rateable values of each hereditament in respect of which a person voting in the alteration ballot has voted in favour of the alteration proposals exceeds the aggregate of the rateable values of each hereditament in respect of which a person voting in the alteration ballot has voted against the alteration proposals.

(3) Where BID arrangements are altered under this regulation —

- (a) the relevant billing authority must ensure that the BID arrangements (as altered) are made by the time those BID arrangements (as altered) are to come into force; and
- (b) sections 44 to 47 of the Act, regulations 14 to 18 and Schedules 3 and 4 shall have effect from the date the BID arrangements (as altered) come into force as if a reference in each of those provisions to “BID arrangements” were a reference to the BID arrangements (as altered).