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WELSH STATUTORY INSTRUMENTS

2005 No. 1312

The Business Improvement Districts (Wales) Regulations 2005

Veto of BID proposals

12.—(1) For the purposes of section 51(2) of the Act, the prescribed circumstances are that the relevant billing authority is of the opinion that the BID arrangements are likely —

- (a) to conflict to a material extent with any policy formally adopted by and contained in a document published by the authority (whether or not the authority is under a statutory duty to prepare such document); or
- (b) to be a significantly disproportionate financial burden on any person or class of persons (as compared to the other non-domestic ratepayers in the geographical area of the BID) and —
 - (i) that burden is caused by the manipulation of the geographical area of the BID or by the structure of the BID levy; and
 - (ii) that burden is inequitable.

(2) For the purposes of section 51(2) of the Act, the prescribed period is 15 working days from the day of the ballot.

(3) For the purposes of section 51(3) of the Act, the prescribed matters to which the relevant billing authority must have regard in deciding whether to exercise its veto are —

- (a) the level of support (as evidenced by the result of the BID ballot or re-ballot of a BID ballot, as the case may be) for the BID proposals;
- (b) the nature and extent of the conflict referred to in paragraph (1)(a);
- (c) in relation to paragraph (1)(b), the structure of the proposed BID levy and how the financial burden of the BID is to be distributed amongst ratepayers in the geographical area of the BID;
- (d) the extent to which the BID proposer discussed the BID proposals with the authority before submitting the BID proposals to the authority under regulation 4; and
- (e) the cost incurred by any person up to the end of the period prescribed in paragraph (2) in developing the BID proposals and canvassing in relation to the BID proposals.