



Department for
Communities and
Local Government

Review of Business Improvement Districts

Consultation



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March 2015

ISBN: 978-1-4098-4563-8

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1. The consultation process and how to respond

Basic information

About	This is a public consultation and it is open to anyone with an interest in these proposals to respond
Body responsible for the consultation	The Department for Communities and Local Government is responsible for the policy and the consultation exercise
Duration	12 weeks closing 19 June 2015
Enquiries	0303 444 4298
How to respond	Responses to this consultation should be submitted through the online capture form available here The questions in this document represent those in the data capture form.
After the consultation	A summary of responses to the consultation will be published

2. Policy context

1. The government announced on 6 December 2013 [a wide ranging package of support for high streets](#) that included undertaking a review of Business Improvement Districts.
2. The review was progressed during 2014, with significant engagement from the sector. On 8 November 2014 the Government announced a set of proposals, informed by the Review, that were intended to strengthen the role of Business Improvement Districts so that they could better support their local areas. The list of proposals announced can be found [here](#).
3. This consultation covers four specific proposals for strengthening the role of Business Improvement Districts in relation to which consultees views are invited. These are:
 - Increasing transparency for all Business Improvement District bodies to strengthen accountability and quality;
 - Mandating certain information to be included in any locally agreed Service Level Agreements between Business Improvement District bodies and local authorities in order to encourage closer working;
 - Proposals to give Business Improvement Districts the choice of who collects the levy on their behalf; and
 - A streamlined approach for Business Improvement Districts to bring forward neighbourhood plans and neighbourhood development orders in non-parished areas.

In addition to these proposals, this consultation also covers a number of suggested changes to the existing legislation that seek to clarify and streamline some existing areas.

4. The remainder of the proposals announced on 8 November 2014 have been taken forward. Further information on these can be found by using the respective links:
 - Provide the opportunity for Business Improvement District bodies to run local authority services by adding them to the list of relevant bodies that can challenge to run local authority services under the Right to Challenge – <http://www.legislation.gov.uk/uksi/2015/582/contents/made>

- Increase involvement of Business Improvement District bodies in planning, by encouraging a bespoke approach to consultation – we have added Business Improvement District Bodies to the list of non-statutory consultees for planning applications. Local planning authorities should engage with non-statutory consultees to identify clearly the types of developments within the local area in which they have an interest, so that any formal consultation can be directed appropriately and unnecessary consultation avoided. A link to the planning guidance is [here](#)
- Guidance to encourage local authorities to involve Business Improvement District contribution at planning committees on relevant applications and ensure their views are heard – we have set out the value that Business Improvement Districts can bring to planning committees in new guidance which can be seen [here](#)
- Set out in Community Infrastructure Levy guidance the importance of local authorities working with Business Improvement District bodies when developing Community Infrastructure Levy charges and identifying appropriate infrastructure – we have updated the Community Infrastructure Levy guidance which can be seen at paragraph 014 [here](#)
- Amending the guidance to local authorities to ensure they carefully consider exempting from the Late Night Levy, any eligible Business Improvement Districts that are already funding night time economy measures – Home Office has updated its [guidance](#) to make this clear.
- Allowing areas that have not been successful in previous ballots to apply to the Business Improvement District Loan Fund for support following a period of at least 3 years between ballots – this has been implemented, the Fund is administered by British BIDs.
- Updating Compulsory Purchase Order guidance to ensure that local authorities properly consider a request from a Business Improvement District body to use Compulsory Purchase Order powers and provide a formal response – we have issued a consultation document on a range of changes to Compulsory Purchase Orders, which includes text on local authorities considering a request from Business Improvement Districts. This can be seen on page 82 (Section 16) of the [consultation document](#)
- Publishing a [high level guide](#) to help those new to Business Improvement Districts, and a [technical guide](#) for local authorities to help clarify their role in establishing a Business Improvement District.

What is a Business Improvement District

5. A Business Improvement District is a defined area in which a levy is charged on business ratepayers in addition to the business rates bill. This levy is used to develop projects which will benefit businesses in the local area. The establishment of a Business Improvement District is voluntary, and depends on the businesses in the proposed District voting in favour of the proposals. The term for a Business Improvement District is five years, after which there would need to be another ballot to determine if the Business Improvement District should continue for another five year period. There are over 200 Business Improvement Districts in England, with 96 BIDs in the UK in their second or third term.
6. There is no limit on what projects or services can be provided through a Business Improvement District. The only requirement is that it should be something that is in addition to services provided by local authorities. Improvements may include, but are not limited to, extra safety/security, public realm enhancements and environmental measures.
7. Typically a Business Improvement District is within a local authority boundary but in April 2013 the Government introduced Cross Boundary Business Improvement Districts enabling Business Improvement Districts to operate across local authority boundaries.
8. Legislation relating to Business Improvement Districts can be found as follows:
 - Part 4 of the Local Government Act 2003
<http://www.legislation.gov.uk/ukpga/2003/26/contents>
 - The Business Improvement Districts (England) Regulations 2004
<http://www.legislation.gov.uk/uksi/2004/2443/contents/made>
 - Amended by:
 - The Business Improvement Districts (England) (Amendment) Regulations 2013
<http://www.legislation.gov.uk/uksi/2013/2265/contents/made>
 - The Business Improvement Districts (England) (Amendment) Regulations 2014
<http://www.legislation.gov.uk/uksi/2014/3199/contents/made>
 - Section 16 of, and Schedule 2 to, the Business Rate Supplements Act 2009
<http://www.legislation.gov.uk/ukpga/2009/7/contents>
 - The Business Improvement Districts (Property Owners) (England) Regulations 2014
<http://www.legislation.gov.uk/uksi/2014/3204/contents/made>
9. Further information on Business Improvement Districts can be found here
<https://www.gov.uk/business-improvement-districts>

Please note that this consultation should be responded to using the online capture form available [here](#)

The questions in this document represent those in the capture form.

3. Proposals

3.1 Transparency

10. In most cases a Business Improvement District is managed by a Business Improvement District body. This body implements the projects and services within the area and is responsible for using the levy for the purposes of the Business Improvement District. Business Improvement District bodies are usually established as not-for-profit companies in practice, but there is no requirement in the legislation for a Business Improvement District to be managed by an organisation with a particular legal structure. The review demonstrated that there was an appetite from both Business Improvement District bodies and other partners to increase the transparency and accountability of Business Improvement District bodies. The reason was to ensure that the bodies were open to scrutiny from the levy payers, and the local authorities and communities in which they operated.
11. The Government recognises that requiring additional transparency could add burdens to Business Improvement District bodies. However, on balance the Government considers that it is essential to provide a consistent level of transparency across all Business Improvement District bodies in order to maintain their credibility and reputation.
12. As the legislation does not set out any requirements for the types of bodies that implement Business Improvement District arrangements there are varying degrees of accountability of these bodies. For instance, where a Business Improvement District body is constituted as a private company, it will be subject to the requirements of company law, including the requirements to be registered at Companies House, make annual returns and preparing annual accounts. However, where the Business Improvement District is run by a not-for-profit unincorporated association of businesses in the area, there are no requirements for it to publish any information about its activities.
13. To address this issue – in a way that meets the aim of achieving a meaningful and consistent approach across all Business Improvement District bodies in a proportionate way – the Government proposes to make it a requirement of every Business Improvement District body to publish a set of independently audited accounts and report annually for the duration of the Business Improvement District arrangements. Where a Business Improvement District body is already a company limited by guarantee and therefore already required by company law to prepare accounts, publication of these accounts would be sufficient to satisfy the proposed requirement.
14. The Government also proposes to set out in legislation that the refusal to produce and publish this information would be a ground for termination of

the Business Improvement District by the local authority. A discretionary power to terminate the Business Improvement District would enable the local authority to bring an end to the arrangements where the Business Improvement District body unreasonably refuses to publish this information and so provide the appropriate level of transparency to levy payers about the way that the levy is being used. Local authorities already have the power to terminate a Business Improvement District if it appears that the Business Improvement District body will have insufficient finances to meet its liabilities for the current chargeable period. That power is subject to the local authority giving the Business Improvement District body an opportunity to arrange financing to make up the shortfall and allowing the levy payers an opportunity to make representations to the local authority. The Government proposes that similar safeguards would apply in the case of a ground to terminate the Business Improvement District following refusal to publish annual information. For example, that the Business Improvement District body and levy payers are given an opportunity to make representations.

15. The Government has considered whether it should mandate the type of organisation a Business Improvement District body should be, for example a limited company, that would automatically attract certain reporting requirements. However, this would be contrary to the approach of giving Business Improvement District bodies flexibility in the way they are established, which was intended to allow for the wide range of circumstances in which it might be appropriate to set up a Business Improvement District body. It would also not capture the Business Improvement District bodies already in existence.
16. The Government is also interested to hear about alternative options for increasing transparency, which could include a voluntary or mandated accreditation system.

Question 1: Do you agree that Business Improvement District bodies should be legally required to provide a certain level of transparency?

Question 2: If you answered “yes” to question 1, do you agree that this should be achieved by mandating the publication of independently audited annual accounts and report?

Question 3: If you answered “no” to question 1, please tell us why.

Question 4: Do you have alternative suggestions for increasing the transparency of Business Improvement District bodies?

3.2 Service Level Agreements

17. The Government is keen to encourage a close working relationship between Business Improvement District bodies and their respective local

authorities. Between them they have a clear understanding of community and business needs in the area, and they combine the resources (including leveraging in additional Business Improvement District investment) and the range of powers (for example on planning or regeneration) that can truly transform areas for the better.

18. Evidence from the review suggests that the current level of engagement between Business Improvement District bodies and local authorities varies widely. As such, the Government wants to see a more structured and uniform approach to ensure that both Business Improvement District bodies and local authorities are aware of what their obligations are towards one another and to make this information publicly accessible. The Government is, therefore, proposing to legislate to ensure that certain procedural matters are agreed between a Business Improvement District body and local authority at the outset, to establish a form of service level agreement between them and that this information be published. It is proposed that the legal mechanism for securing this will be left to the discretion of Business Improvement District bodies and local authorities, and the final content, beyond the matters that are set out in legislation, will also be left to their discretion.
19. The range of what any such agreement could cover is wide, and should not be confused with other requirements already in place, such as the legal requirement to provide a statement of the local authority's baseline services in the area (which must be prepared before proposals are put to a ballot). Instead, it should focus on the procedural and working interaction between the Business Improvement District body and the local authority, and might include for example: minimum engagement criteria such as quarterly meetings; a review of service provision linked to an annual review of the baseline agreement; a specified timetable for responding to different types of request; and transparency requirements, such as publishing minutes of meetings between the Business Improvement District body and the local authority.
20. The Government did consider other options for increasing the level of engagement between Business Improvement District bodies and the local authority, which included:
 - a. legislating for a duty to co-operate. This is not being suggested as it would duplicate arrangements already in place with the current Best Value provisions under the Local Government Act 1999, that includes a duty on an authority to consult representatives of people in their area including representatives of council tax and non-domestic ratepayers; and
 - b. giving Business Improvement District bodies the right to sit on decision making committees of local authorities. This is not being suggested as Business Improvement District bodies are not elected by the local

community. As part of the wider package supporting Business Improvement Districts we are encouraging local authorities to hear the views of Business Improvement District bodies at relevant planning committees, the new guidance on this can be found [here](#).

21. The Government is keen to hear of any other suggestions for strengthening the working relationship between Business Improvement District bodies and local authorities.

Question 5: Do you think there should be a legally required set of procedural issues that Business Improvement District bodies and local authorities agree to and publish from the outset to ensure that both parties are clear on their working relationship towards one another?

Question 6: If you answered “yes” to question 5, how often do you think the agreement should be updated and what issues do these types of agreement need to cover?

Question 7: What other ways can the working relationship between Business Improvement District bodies and local authorities be strengthened?

3.3 Local Authority Charges

22. The Business Improvement District proposal must set out who is liable for the levy, the amount of levy to be collected and how it is calculated. The local authority manages the billing and collection of the levy. The current legislation sets out that local authorities can recover the costs of providing this service to Business Improvement District bodies (they are prohibited from making a profit from this procedure).
23. However, the review highlighted a wide discrepancy in the charges local authorities made to Business Improvement District bodies for the collection of the Business Improvement District levy. Some local authorities were making no charge for the cost of collecting the levy, whilst others were charging over £100 per hereditament.
24. This is a complex area that can involve services procured externally by the local authority and it is reasonable for local authorities to recover their costs of collection. We do not wish to discourage those local authorities who are currently either discounting the cost of the levy collection service or not charging at all.
25. However, there is a need to ensure that all Business Improvement District levy payers get value for money. Currently, local authorities have the discretion to choose whether to contract out the collection and enforcement

of the levy, including to the Business Improvement District body. The Government would like Business Improvement District bodies to have the option of making that choice, to give them the opportunity to see if they can deliver the same service more efficiently and thereby reduce costs. As such, the Government proposes to allow Business Improvement District bodies to collect the levy themselves or to contract out the collection and enforcement of the levy to external organisations (other than local authorities). The cost for collecting the levy should be transparent and set out as part of the requirement to publish accounts.

Question 8: Do you agree that Business Improvement District bodies should have the option to decide who collects the levy on their behalf?

3.4 Neighbourhood Planning

26. Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see go ahead. Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community, where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area. Further information on Neighbourhood Planning can be found here www.mycommunityrights.org.uk
27. The Government believes that business-led neighbourhood plans and neighbourhood development orders can offer significant benefits to areas with a concentration of businesses, such as high streets, industrial/trading estates and commercial districts. A neighbourhood plan has real statutory weight in the planning system. A neighbourhood development order enables communities to give permission for certain types of development without the need for a subsequent planning application.
28. Neighbourhood planning is taken forward by a parish or town council where they exist. In a non-parished area of England, neighbourhood planning is undertaken by an organisation or body that has been designated by the local planning authority as a neighbourhood forum. A local planning authority may designate an organisation or body as a neighbourhood forum if the authority is satisfied that it meets the conditions set out in section 61F(5) of the Town and Country Planning Act 1990 as applied to Neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. They include having an open membership policy and securing or taking reasonable steps to attempt to secure membership from those who live or work in the area or are an elected member of a council for

the area. At present, a Business Improvement District body that meets these conditions may therefore be designated as a neighbourhood forum and begin work to bring forward a neighbourhood plan or a neighbourhood development order proposal.

29. In four areas¹, Business Improvement District bodies have, in collaboration with local residents, applied to the local planning authority and been designated as a neighbourhood forum, and are leading the production of a neighbourhood plan. However, there may be areas where there are few residents, or residents are not interested in developing a neighbourhood plan. The Government would like to make it possible for a Business Improvement District body (where one exists) to be designated as a neighbourhood forum, without the need to meet the requirements currently set for prospective neighbourhood forums.
30. We propose to achieve this by using existing powers² to prescribe alternative conditions that an organisation or body may meet in order to be designated by a local planning authority as a neighbourhood forum for a neighbourhood area. These would include:
- a. a requirement that the Business Improvement District arrangements are in force and the applicant is the Business Improvement District body named in the proposals as the body that would provide the works and services concerned, provided that this body is not the local authority.
 - b. a requirement that the neighbourhood area to which the forum application relates is designated as a business area,³ and that it corresponds with (or does not extend beyond) the Business Improvement District.
31. We would be interested in views from Business Improvement District bodies and others as to whether these requirements are appropriate and sufficient, or whether there are other conditions that should apply.
32. Under this proposal, all of the existing statutory provisions governing the designation of a neighbourhood forum would apply to a Business Improvement District body. The Business Improvement District body would need to apply for designation (based solely on the criteria set out at paragraph 30 a. and b.) and the local planning authority would then be required to publicise the application (as with other neighbourhood forum

¹ Bankside (in London Borough of Southwark), South Bank (in London Boroughs of Lambeth and Southwark), Central Ealing (in London Borough of Ealing) and Mayfair (in City of Westminster)

² section 61F(6) of the Town and Country Planning Act 1990 as applied to Neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004

³ under section 61H of the Town and Country Planning Act 1990 as applied to Neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004

applications). This would enable any residents or businesses in the area that are not represented by the Business Improvement District body to make any views known to the local authority. Following a determination, the local planning authority would then be required to publicise the designation, or give reasons for refusing the application.

33. As with other designated neighbourhood forums, the designation would cease to have effect after 5 years but that would not affect the validity of any existing proposal for a neighbourhood development plan or order. Similarly, where the Business Improvement District body is an unincorporated association, the designation is not affected by a change in membership. Where the Business Improvement District is subject to a renewal ballot during the course of the five year designation as a neighbourhood forum, then we propose that the forum status would continue subject to there being a successful Business Improvement District ballot. Where the ballot is unsuccessful, the local authority would need to withdraw neighbourhood forum designation under section 61F(9) of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.
34. We have considered the possibility of legislating to provide that Business Improvement District bodies are automatically qualifying bodies for the purpose of neighbourhood planning in the area covered the Business Improvement District – i.e. the Business Improvement District body would be in a situation equivalent to the parish council so that they were the only body in that area that could propose a neighbourhood plan or neighbourhood development order and would not have to apply for designation. However, this option would remove the possibility of a neighbourhood forum being brought forward by residents living in the area, even if they were to work together with businesses. It would also make the Business Improvement District body responsible for neighbourhood planning whether or not this was a responsibility they wanted to take on. We do not believe that this proposal is workable, but would welcome any views on it.
35. Once designated as a neighbourhood forum, the Government does not propose to change the publicity and consultation arrangements that a Business Improvement District body would need to comply with as a qualifying body when developing and submitting proposals for a neighbourhood development plan or neighbourhood development order. In developing a neighbourhood plan or neighbourhood development order proposal, the Business Improvement District body would be required to publicise details of the draft plan or order proposals widely and invite representations. They would also be required to consult any of the consultation bodies whose interests they consider may be affected by the

draft plan or order proposal⁴. A consultation statement would need to accompany a plan or order proposal when it is submitted to the local planning authority. This must set out: the details of those consulted; how they were consulted; summarise the main issues and concerns raised during consultation; and describe how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood plan or order. These existing requirements will ensure that any residents in the area, or businesses that are not represented on the Business Improvement District body, are kept informed about the neighbourhood plan or order proposals and are able to contribute to their development.

36. A neighbourhood plan attains full legal weight once it has been successful at a referendum and is brought into force by the local planning authority. In a 'designated business area' both residents and non-domestic ratepayers get an opportunity to vote in referendums on whether the neighbourhood plan or order should come into legal force. This, along with the consultation requirements, set out in the paragraph above, will ensure that residents get a fair say on the neighbourhood plan or order proposals. In cases where the two referendums have different results, it will be for the local planning authority to determine whether to make the plan.

Question 9: Do you agree that Business Improvement District bodies should be eligible to apply to the local planning authority to be designated as a neighbourhood forum, without meeting the current membership requirements?

Question 10: Do you agree with the proposed conditions for any Business Improvement District body that wishes to apply for designation as a neighbourhood forum?

Question 11: What are your views on a Business Improvement District body automatically being a qualifying body for the purposes of neighbourhood planning?

Question 12: Do you have any further views on the proposal that Business Improvement District bodies can take forward neighbourhood planning in designated business neighbourhood planning areas?

3.5 Improving current legislation

37. Although the main focus of the review was to look at opportunities for widening the powers of Business Improvement District bodies, it also became apparent that the existing legislative arrangements could be improved in some respects. As the

⁴ See [regulation 14](#) and [regulation 21](#) of the Neighbourhood Planning (General) Regulations 2012 ([as amended](#)). The consultation bodies are set out in [Schedule 1](#) to the Regulations.

Government is proposing other amendments to legislation in respect of Business Improvement Districts, this offers the opportunity to amend the existing legislation in areas where, in practice, it is creating difficulties for the efficient running of a Business Improvement District.

The proposed changes to existing legislation are set out below.

Establishment of Business Improvement Districts - Consultation requirements

38. Where any person or body wishes to make proposals for Business Improvement District arrangements, the Business Improvement District (England) Regulations 2004 (“the Regulations”) enable a Business Improvement District proposer to obtain details, from the local billing authority, of the names of each non-domestic ratepayer, and the address and rateable value of each property in the area of the Business Improvement District proposals to be developed. It is then envisaged that the Business Improvement District proposer will carry out consultation with affected businesses to develop the proposals for the proposed area. Prior to the ballot, the proposer must send the proposal document to the local authority together with (among other things) a summary of the consultation the proposer has undertaken with the businesses that would be liable to pay the levy. However, the Regulations do not include a requirement for the Business Improvement District proposer to carry out formal consultation prior to submission of the proposal to the local authority.
39. The Government has considered whether there should be a requirement for clear and effective consultation to have taken place before the submission of Business Improvement District proposals. Effective consultation would enable the Business Improvement District proposer to ensure that all businesses that are potentially affected are made aware of the proposals and have sufficient opportunity to actively contribute to the development of the Business Improvement District proposer’s proposal document. Effective consultation would also enable the Business Improvement District proposer to clearly set out the potential benefits of the proposed Business Improvement District for those businesses affected, as well as make those businesses aware of the likely financial cost to them of the Business Improvement District’s establishment.
40. In addition to this formal consultation, the Government considers that there is merit in strengthening the process of notification when the Business Improvement District proposal and the ballot papers are issued to potential levy payers. The Government would like to hear views on a proposal to ensure that the ballot documentation includes clear text that sets out the impact of not voting, confirmation that the Business Improvement District would proceed if a majority of those voting – as opposed to those entitled to vote – vote yes, and information on the financial impact of the Business Improvement District on individual levy payers. The Government considers that the provision of such information would help to improve understanding of the intentions of the Business Improvement District proposer, and contribute to greater transparency about the arrangements.

Question 13: Do you agree that the Regulations should be changed to require clear consultation in the development stage of a Business Improvement District before submission to the billing authority?

Question 14: Do you agree that the process for notifying and balloting should be strengthened to include information on the consequences of voting, or not, in the ballot, and on the likely level of individual businesses' levy payment?

Notification of Ballot Outcome

41. All businesses that would be liable for the levy, as set out in the proposals, are entitled to vote in a ballot. This determines whether the proposal goes ahead. A successful vote does not require a majority of those entitled to vote, only a majority of the votes cast and of the rateable value of votes cast. Each business entitled to vote in a Business Improvement District ballot is allowed one vote in respect of each property occupied or (if unoccupied) owned by them in the geographical area of the Business Improvement District.
42. The Regulations are clear that as soon as is reasonably practicable the ballot holder should arrange for public notice of the outcome of the ballot. However, the Regulations do not currently prescribe the manner of publication or the period for which such publication should remain in the public domain.
43. It is important that the outcome of the ballot is communicated to all affected businesses as soon as possible. A public notice, in newspapers or on a website, can be an effective way of delivering such information. However, by its very nature, this is an indirect way of communicating and relies on affected bodies seeing the publication. The outcome of the ballot can have a direct financial impact on the businesses in the Business Improvement District area. The date of notification is also crucial since it is the starting point for any appeal that might be submitted to the Secretary of State in relation to the conduct of the ballot.
44. Given this, the Government considers that there is a clear benefit in requiring the Business Improvement District proposer to ensure that individual notification of the outcome of the Business Improvement District Ballot is sent to each Business Improvement District levy payer at the same time that the outcome is published. This would ensure levy payers are fully aware of the result and would understand whether they need to budget for any levy payments.

Question 15: Do you agree that the Business Improvement District proposer should be required to provide individual notification of the outcome of the ballot to all of the businesses affected by the Business Improvement District proposals?

Sending Ballot papers outside England

45. Business Improvement District arrangements can only be established where the businesses in the proposed area have voted in favour of the proposals in a ballot. The persons eligible to vote in a Business Improvement District ballot (other than a

ballot for a property owner scheme) are the non-domestic ratepayers in the area that would be liable for the levy under the proposals. Ballot papers for property owner Business Improvement Districts can be sent outside England but they cannot be for ratepayer Business Improvement Districts. In some cases, it is possible that the person eligible to vote would not be located in England, for example when a national chain has headquarters based outside England. However, under the current legislation for the establishment and operation of ratepayer Business Improvement Districts, ballot papers cannot be sent outside England.

46. The Government therefore proposes to allow ballot papers to be sent outside England. This would ensure that the position as respects ratepayer Business Improvement Districts and property owner Business Improvement Districts, where ballot papers can already be sent to businesses located outside England, is aligned.

Question 16: Do you agree that ballot papers for ratepayer Business Improvement Districts should be sent outside England?

Question 17: If you answered yes to Question 16, should it be permitted to send ballot papers internationally or only within the UK? If you answered no, please tell us why.

Replacement of lost ballot papers

47. The legislation stipulates that voters cannot apply for a replacement for lost ballot papers until the fourth working day before the day of the ballot. This poses problems for both the local authority (which is responsible for the ballot arrangements) and the voter because of the tight timeframe in which this can be done. Therefore the Government intends to extend the period to fourteen calendar days before the day of the ballot.

Question 18: Do you agree that the time period should be extended for voters to apply for replacement ballot papers?

Question 19: If you answered yes to question 18, do you agree that it should be fourteen calendar days in advance? If you answered no, please tell us why.

3.6 Barriers to take up of Business Improvement Districts

48. We recognise that in some areas businesses have opted not to form a Business Improvement District, preferring instead to use other mechanisms such as elected business councils to give a stronger voice to the local business community. We would welcome hearing views from these

organisations or businesses on why they decided to set up an alternative structure instead of a Business Improvement District.

Question 20: Are there particular barriers that have put off businesses from considering setting up a Business Improvement District?

3.7 Property Owner Business Improvement Districts

49. The Government made Regulations to allow for property owner Business Improvement District schemes, which came in to force in December 2014. This is intended to give property owners, that often have a long term interest in the local environment in which their property assets are located, an opportunity to form a Business Improvement District. At the moment, the statutory powers limit property owner Business Improvement Districts to areas where there is both a Business Rates Supplement being levied and where there is a ratepayer Business Improvement District in place. A Business Rates Supplement is only levied in London at present, and as such property owner Business Improvement Districts may only be established in London. The Government is very interested to hear views on whether it should bring forward property owner Business Improvement Districts outside London.

Question 21 – Do you support bringing forward property owner Business Improvement Districts outside London? If not, why not?

The Department invites consultees' views and any evidence relating to all aspects of this consultation by 19 June 2005.