

Scottish Executive BIDs Proposal for Secondary Legislation
Consultation Response from Inter Bank Rating Forum

Question 1 – Answer Yes

Question 2 – Answer No

2.6 – Suggest the following additions to the list, as follows:-

1. Statement regarding how levy collection costs are to be recovered
2. BID evaluation criteria – how do they measure success
3. Statement to be provided to each hereditament showing RV, % of total, total cost p.a, inflation uplift proposals

Question 3 – Answer Yes

Performance to be independently audited & reported
Individual Board members to be re elected

3.3 – “every person” or their nominated agents. Reason – some companies outsource rates payments to agents

Question 4 – Fewer bills mean lower costs but split bills are ok

3.4 - the statement should also include details of any relief applicable

3.6 - Save paper & postage and simply refer to BID company website for this information

3.7 – Not acceptable. This may create audit problems. Companies cannot accept incorrect invoices

Question 5 – answer Yes

3.13 – Can the repayment timescale also be 14 days

Question 6 – answer 3.18 – How will BIDs Board cope with large falls in income if, for example, a major contributor goes out of business or a major shopping centre burns down. Why not give the Boards some flexibility to raise the % levy in exceptional circumstances.

Also, the proposed regulations don't appear to provide for a regular review of % liability to reflect RV changes on appeal, say annually.

Question 7 – I would suggest a min period of 6 months

4.2 – Or provided with details of where the information is available, eg website
Question 8 – Adopt English system. Otherwise charities or vacant listed buildings won't get a vote at all. Vacant is usually a temporary situation anyway.

Question 9 – Scottish Executive and Electoral Registration Officer / ballot organiser.

Question 10 – Yes – Significant error in Business Plan or discovery of fraudulent intent

Question 11 – The BID Company to demonstrate they can fund development & ballot costs before a ballot is permitted. This should be stated in the Business Plan.

4.17 – Why not put the list of voters on the BID company website. This will assist larger companies who may be based outwith the BID area.

Question 12 – Agreed

Question 13 – Yes

Question 14 – Yes

Question 15 – Agree to restrict

Question 16 – Local Authority records are set up to issue rates bills to nominated recipients. This may be an agent. If these are changed to the BID contact name/address this will cause huge problems. Most billing authorities are unable to hold more than one contact address.

If the BID company has a separate address list for BID contacts, this is ok.

Question 17 – Issue replacements on request

Question 18 – Max 7 days

4.38 – Subject to prior agreement with the BID Company. Agreement to include details of repayment timescale.

Question 19 - Local Authority Veto Power – if LA's have too much power BIDs will not be viewed by businesses as a business led initiative but as an additional LA tax. I cannot see any circumstances where a LA would need to veto a BID initiative. Any major BID initiatives involving building works, change of use etc will be subject to normal planning regulations. Also BID Boards will contain a senior LA representative who will ensure clashes don't occur.

Question 20 – Yes

- (1) Min 50% turnout
- (2) Min 75% of turnout in favour
- (3) Min 75% of RV in favour

This will ensure substantial business support and is more likely to be sustainable.

Otherwise BIDs may be viewed as an addition and unwelcome levy.

5.4 – this may lead to a BID being caught in political fights between Local Authorities and may hamper their development. Splits are best avoided.

Question 22 – I suggest a £20 limit with any balance going to charity (BID Board choice)

Question 23 – I suggest the following can terminate

- (1) BID Board
- (2) Scottish Executive
- (3) 75% of BID levy payers if they petition SE for closure.

Question 24 – see 9.2 & 9.4 comments

9.2 – It is not clear how are benefits to owners assessed.

9.4 – If owners are being asked to pay a levy for each property why not give them a vote for each property.

Ken Bruce

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