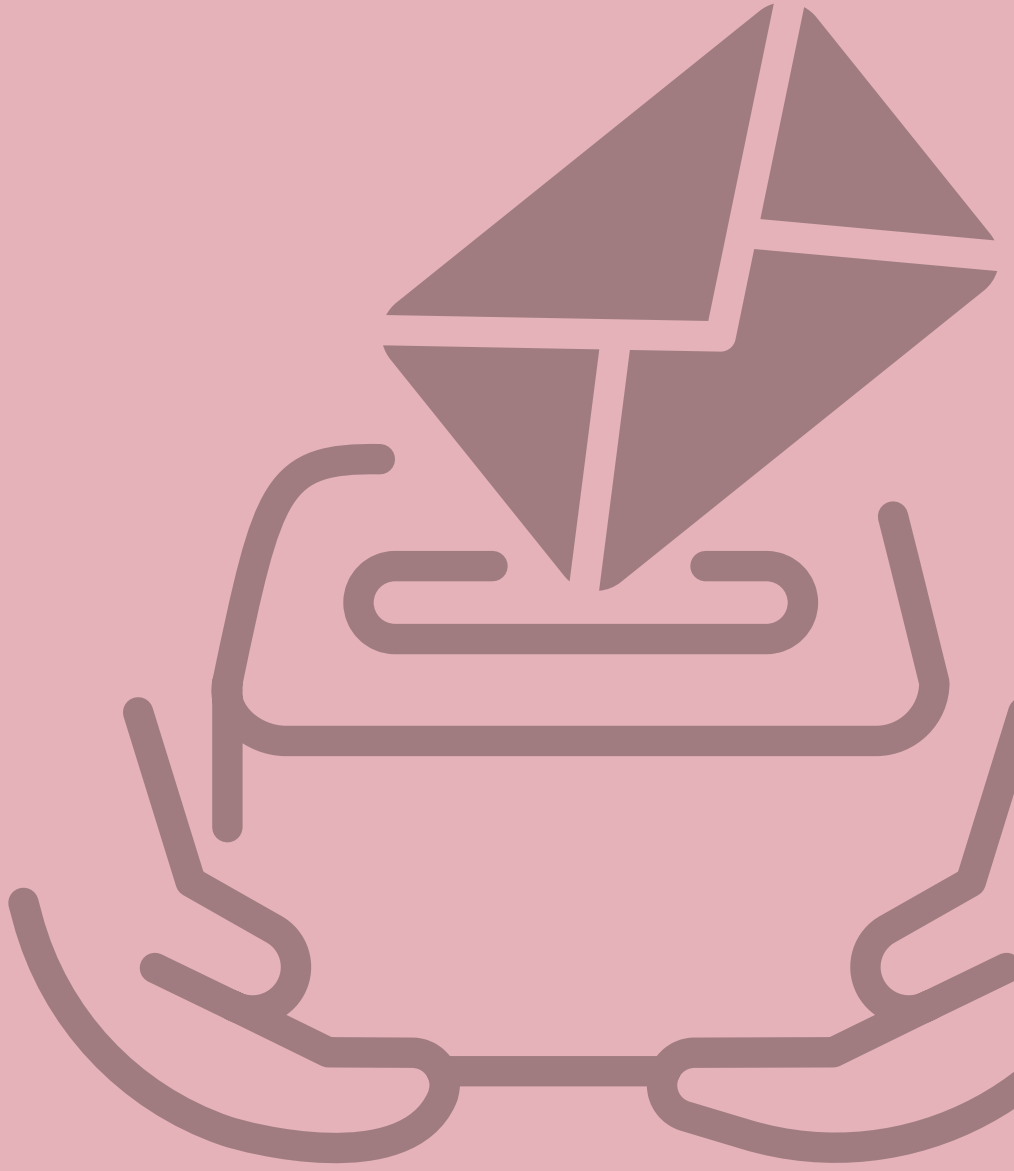


GUIDANCE NOTES

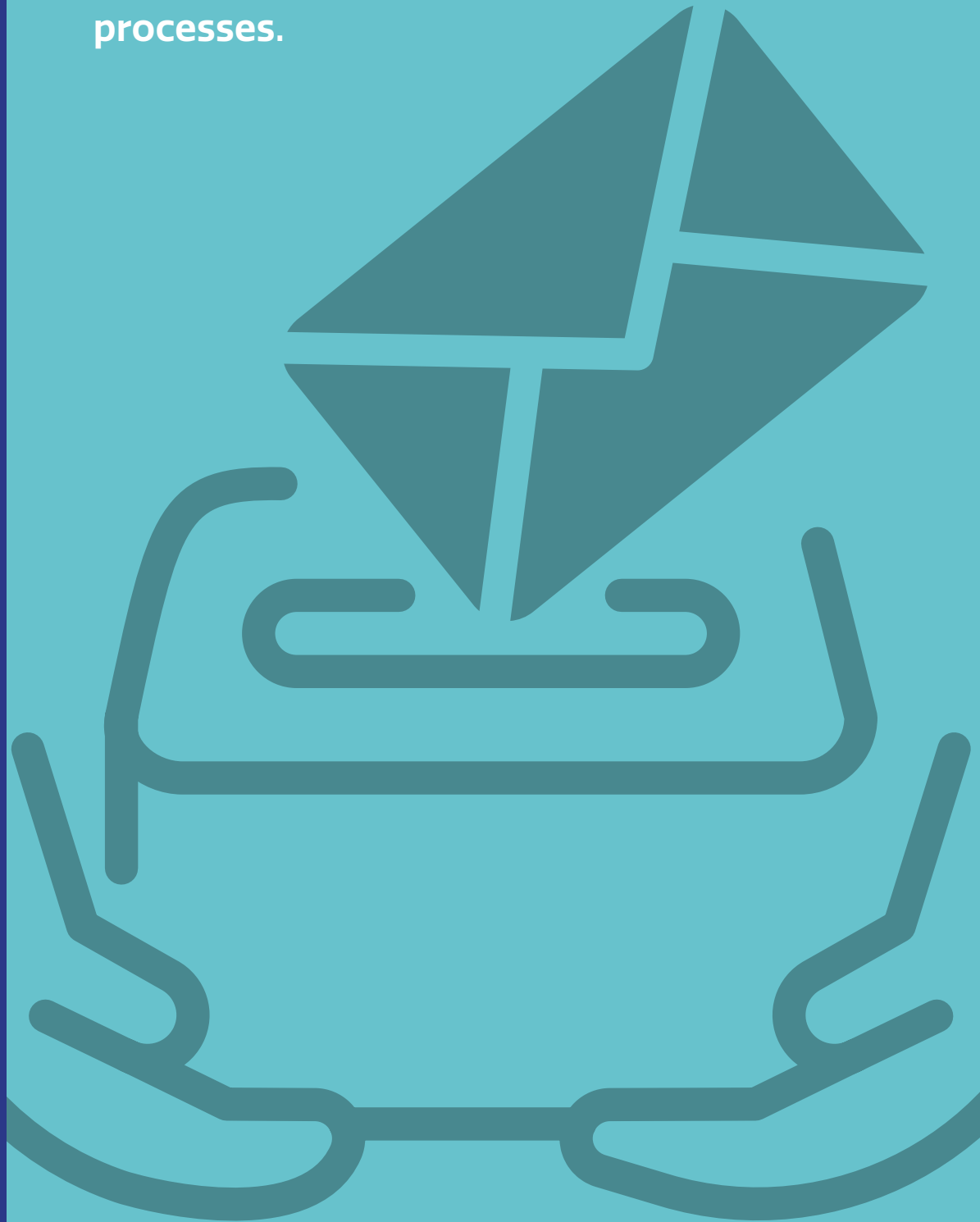
DECLARATION OF A BID BALLOT RESULT

APRIL 2023



INTRODUCTION

The BID Regulations (England) 2004 state that “as soon as practicable after the day of ballot” the Ballot Holder shall arrange to count the ballots and then declare the result. The process for announcing the result would be, as a minimum, in accordance with the Ballot Holder’s normal processes.



GUIDANCE

Schedule 2, 17 of the BID Regulations (England) 2004 state that the Ballot Holder shall have the final say on the ballot declaration and, in declaring the result, will certify:

- (a)** the total number of votes cast excluding any votes excluded...
- (b)** the aggregate rateable value of each *hereditament in respect of which a person voted in the ballot
- (c)** the total number of votes cast in favour...
- (d)** ** the aggregate rateable value of each *hereditament in respect of which a person...has voted in favour...

This will enable the result to be declared overall as 'in favour' (by number of votes cast and by rateable value) or 'not in favour' of the BID Proposals.

The Regulations then provide for a period in which the ballot declaration may be challenged.

TIPS

1

The Ballot Holder must be allowed to formally declare and publish the ballot outcome before the Proposer commences any communications of its own.

2

Such statement needs to be included in the BID Proposal.

3

Best practice suggests that all those entitled to take part in the ballot should be made aware of the declaration within the challenge period, her persons with public functions.

Notes:

* relevant property (In Scotland and Northern Ireland rather than the term hereditament).

** becomes (e) in Scotland due to additional requirements below.

In Scotland the Ballot Holder also needs to certify:

(d)

the total number of votes cast against

(f)

the aggregate rateable value of each relevant property in respect of which a person

has voted against

There are additional conditions in the Scottish & Northern Ireland BID Acts in that there must be at least a 25% turnout by number and also rateable value of the properties entitled to vote and is part of the Ballot Declaration.