

# GUIDANCE NOTES

NOTIFICATION  
OF BID BALLOT

APRIL 2023

British  
**BIDs**<sup>TM</sup>  
Leading the BID industry

# INTRODUCTION

Understanding the required notifications for a BID ballot, together with the timings of each, can be confusing. Here, we shall detail the following:

## 01.

Notification to the Secretary of State

## 02.

Notification from the BID Proposer to the local billing authority

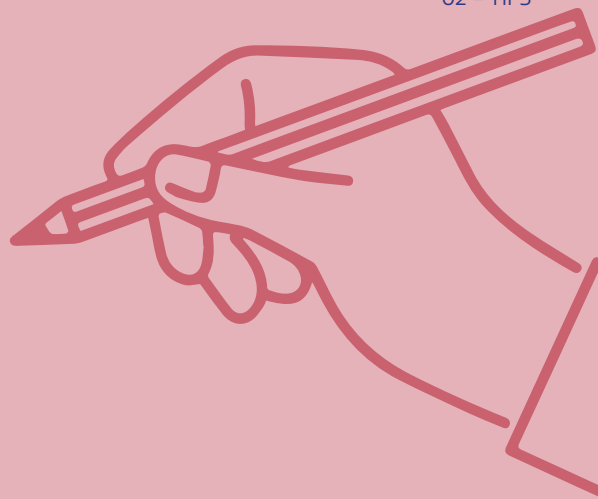
## 3.3

Notice of Ballot

This Policy and Guidance Note explains each in turn, together with their requirements and timing, and provides a reference to the relevant section within the BID Regulations (England). Where differences apply elsewhere within the UK they are noted.

# GUIDANCE

- a.** Notification to the Secretary of State\* – this is sent by the BID Proposer and must be received no less than 84 days (98 days in Scotland and Northern Ireland) prior to the notification in b) below. This is detailed in Regulation 3 (2) (England). The letter is to the Secretary of State at the Department for Levelling Up, Housing and Communities (\*Scottish Ministers or Department for Social Development in Northern Ireland) (most usually sent by email and post). An identical copy is sent simultaneously to the billing authority. The minimum requirement of the Regulations is to advise only of the intention to ask the relevant billing authority to hold a BID ballot in no less than 84 days. However, best practice and logic suggests that it should name the intended ballot date together with full contact details.
- b.** Notification by the BID Proposer to the local billing authority – this serves as a formal request by the BID Proposer to the local billing authority to take BID Proposals to ballot. It requests that the local billing authority instructs the ballot holder to hold a BID ballot. This often accompanies the full BID Proposals. Detailed within Regulation 4 (2) (a) (ii), it cannot be served less than 84 days after the notification in a) above.
- c.** Notice of Ballot at least 42 days before the ballot date – upon receipt of the notification in b) above, together with a compliant set of BID Proposals, the local billing authority, on behalf of the ballot holder, will write to each party to be subject to the forthcoming ballot advising them of the proposed ballot arrangements, including the day of ballot, and also send a copy to the Secretary of State. Once this notice is served, there is no opportunity to postpone or cancel the ballot.



# TIPS

1

At the earliest opportunity a BID Proposer should create a timeline to ballot, including latest dates for the notices, as above.

2

The dates contained in the Regulations are the minimum required and serving notices a) and b) earlier than the deadlines is advised.