

# PLANNING ETC. (SCOTLAND) ACT 2006

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## EXPLANATORY NOTES

### THE ACT – SECTION BY SECTION

#### **Part 9 – Business Improvement Districts**

##### *Section 38 – BID proposals*

193. **Subsection (1)** ensures that a BID project will only go ahead if the “BID proposals” have been approved by a ballot of those ratepayers identified in the “BID proposals”, (where only ratepayers are involved), or approved by both ratepayers and other persons defined as “eligible persons”.
194. **Subsection (2)** allows the Scottish Ministers to set out in regulations the persons who can draw up BID proposals, who can be consulted on the proposals, the procedures which a person taking forward a BID arrangement should follow when drawing up BID proposals, what should be outlined in the BID proposals, and when the BID arrangements would commence.
195. **Subsection (3)** ensures that a ballot to approve a BID proposal cannot take place unless the persons who drew up the proposals can demonstrate in an appropriate way to the local authority that the proposals are supported by at least 5% of those ratepayers who are entitled to vote, and that those procedures are conducted in a timely fashion.