

PE2179/B: Strengthen veto powers when assessing Business Improvement District proposals

Petitioner written submission, 11 September 2025

On September 11th 1997 we voted to establish the “Parliament for the people by the people”. The citizens could fashion their country from the ground up. I am one of the citizens and came therefore to this Committee to explain qualitatively the effects on the population of the absence of metrics within this older legislation. We vote in a democracy for representatives to uphold fairness and provide our families with safe legislation and environments.

Since the passing of the Planning etc. (Scotland) Act 2006, 19 BIDs have stopped and 12 failed their initial ballot, leaving 34 operational BIDs remaining.

Qualitatively, the disproportionality of levy charging relating to each Rateable Value (RV) banding is seen as a substantial cause of BID failure. (There are other multi-combinational causes of failure, for example a lack of individual business ROI evidence.) The process cost to establish BIDs that subsequently fail due to disproportional levy charging is a financial loss for the Scottish economy and cannot be justified. Especially where these funds could have been employed for other more pressing Government priorities.

The Scottish Government’s “Research into approaches” document of September 2023 states: “Metrics provide concrete data to inform decisions, ensuring policies are grounded in reality rather than just opinion or broad assessments”. However, the Planning etc. (Scotland) Act 2006 contains no metrics on disproportion within the Local Authority Power of Veto. The veto therefore does not follow Government ethos.

A ballot must obtain 50% of the RV from votes cast as a safeguard. However, to gain this in Moray, huge multinational companies were simply offered a tiny levy according to their RV, to persuade their support and gain the 50% RV. This process is not unique to Moray and some others may make representation due to their similar experiences. Disproportional charging is a distortion of the ethos of the legislation and leads to failure. The Government has itself highlighted a duty to guarantee citizens on metrics “grounded in reality.” The absence of metrics is an enabler of potential for bad practice and consequent failure.

The absence of metrics has catastrophic consequences for the health of people in general. I am a qualified Psychiatric Nurse and I understand in depth these consequences. For example: a heavily pregnant Woman in Craigellachie experienced trauma with Sheriff officers in her house, a husband and wife serving meals to customers were embarrassed while Sheriffs priced items as they tried to help people eating, a lady volunteer at a Golf Club was upset by sheriffs demanding money and wanted nobody to know about it, hundreds of small businesses and their families were placed under Legal Warrant notice following threat of warrant letters. This was levy by legal enforcement and it was experienced as an intimidation. These examples took place while multinational companies with hundreds of millions of pounds profit enjoy paying comparative tiny levies, one of them only 0.057% of their RV compared to 12% by small businesses! Further economic effects included business closures and debt accumulation with the disproportionate levy demands combining with cost accumulations. (BID activity did not result in any ROI being

reported.) These were the effects of not including metrics in the power of veto on disproportion.

The Government must at pace guarantee fairness and follow its own advice on metrics. I also ask you to show this submission to the First Minister, who told us on 2 May 2025: "What I would say to you is that my government is open to your ideas and your innovations, so please work with us, be part of that collaboration." What I say in this petition is high in value because I am not paid by the Government or by any organ of Government or any vested party to push a policy or sell a policy citing awards or events. I am reporting qualitatively as a citizen who is experiencing policy and I have communicated widely on the subject across Scotland. This is how we aim to be.