

Arun District Council

REPORT TO:	Economy Committee - 27 September 2022
SUBJECT:	Bognor Regis Business Improvement District Proposal – Second Term
LEAD OFFICER:	Daniel Bainbridge, Group Head of Law & Governance and Monitoring Officer
LEAD MEMBER:	Councillor Andy Cooper
WARDS:	Hotham, Marine
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
This recommendation supports: Fulfilling Arun’s economic potential - working closely with our towns and other organisations on strategies which support vibrant and attractive town centres. Positive and focused promotion of Arun’s tourist destinations as more than a ‘day trip’.	
DIRECTORATE POLICY CONTEXT: Improving the social, economic, and environmental wellbeing of the District along with those who live, work and play within it.	
FINANCIAL SUMMARY: Should the BID gain a second term, it will raise a minimum of £695,000 over the 5-year BID term to reinvest into Bognor Regis town centre initiatives and management. The Council will collect this money and pass it to the BID. A ‘Yes’ vote would require the Council to pay an annual levy estimated at £5,200 which, is already within the council’s base budget (at current rates and as a non-domestic ratepayer in its own right).	

1. PURPOSE OF REPORT

- 1.1. The purpose of this report is to inform the Committee of the proposal to conduct a Term 2 ballot to allow the Bognor Regis Business Improvement District (BID) to continue for a further five-year term.

2. RECOMMENDATIONS

- 1.2. That Committee supports the Bognor Regis BID Term 2 Ballot Proposal agreeing arrangements as described in the report regarding ADC’s statutory roles as Ballot Holder and Billing Authority

2. EXECUTIVE SUMMARY

- 2.1. This report is to inform the Committee of a proposal by Bognor Regis Business Improvement District Limited to conduct a ballot to continue the Business Improvement District (BID) in Bognor Regis for a second term. The BID, if it were to be successful and gain a second term, will raise a minimum of £695,000 over the 5-year BID term to reinvest into Bognor Regis town centre initiatives and management. The report also describes Arun District Council's statutory obligations regarding the BID proposal; this being as Billing Authority and as Ballot Holder.

3. DETAIL - Arun District Council Statutory Responsibilities

- 3.1. Arun District Council (ADC) has two statutory roles in regard to BIDs: namely as Billing Authority and as Ballot Holder. The local authority is obliged to accept the BID proposal, with the right of veto only in circumstances where the BID may conflict with existing local authority policy, or where ADC may conclude that the consultation on the BID has been inadequate.
- 3.2. As Billing Authority, ADC is required to supply the BID with ratings information that will inform the BID ballot. ADC will also have the responsibility for collecting the BID levy on behalf of the BID on terms agreed with the BID proposer. BIDs charge a levy expressed as a percentage of the rateable value of each hereditament (taxable property) included in the BID. All eligible voters are informed of their BID liability ahead of the Ballot.

4. BID Delivery

- 4.1. The BID celebrated "Independents Day" on the 4th July 2019 with a bespoke "Four Your High Street" campaign, encouraging indie businesses to create special offers and unique experiences centring around the number "four". This was promoted through local press, social media and brightly coloured visuals in the town centre.
- 4.2. Through its calendar of events, the BID was also able to incorporate opportunities for local arts organisations, showcasing the work of local musicians through free public performances, and transforming an empty unit into a living "Community Forest" as both an exhibition space, and to draw attention to the important work of local charities, CICs and support organisations in Bognor Regis.
- 4.3. The ongoing provision of a full time Community Warden, joint funded by BR BID and BRTC (66% and 33% respectively) continued to have a positive impact on reducing crime and anti-social behaviour, as well as providing a reassurance presence for visitors to the town centre.
- 4.4. The BID manages the Thursday and Saturday markets, and, in 2019-20, worked to develop a clear brand and increase the number of regular stallholders selling a variety of products. Two market gazebos were purchased to enable BID Area businesses to trade from the London Road on market days, thereby increasing their exposure and signposting potential customers to their main premises.

- 5.1 The BID has delivered many notable initiatives in its first five-year term under the Objective headings: “Well Known”, “Welcoming”, “Transforming” and “Empowering”.
- 5.2. The BID’s introduced activities and entertainment to encourage footfall and benefit businesses in new areas, including the forecourt and concourse. This has created positive experiences in places that people had previously viewed negatively as linked with anti-social behaviour.

5. CONSULTATION

- 5.1. Consultation has been undertaken with all eligible BID levy payers/ voters. The outcomes are reported in the Draft Bognor Regis BID Business Plan 2023 - 2028

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1. As outlined, in this proposal there are currently no directly corresponding alternatives.

7. COMMENTS BY THE GROUP HEAD OF COPRORATE SUPPORT/SECTION 151 OFFICER

- 7.1. As the Council acts as agent in collecting the levy on behalf of the BID, there is no direct financial implication for the Council. The Council incurs costs in running the ballot, invoicing and collecting the levy which are included in base budgets and can be recharged to the BID. The items listed at paragraph 10.5 would require full Member consideration and budgetary provision should that become necessary.

8. RISK ASSESSMENT CONSIDERATIONS

- 8.1. Financial and legal risks have been considered through the legislative framework that the election process is guided by.

9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

- 9.1. The legislative framework under which Business Improvement Districts are established, renewed and governed is contained in Part 4 of Local Government Act 2003 and The Business Improvement Districts (England) Regulations 2004.
- 9.2. Under the regulations, the Council as ‘relevant billing authority’ is responsible for instructing the ‘Ballot Holder’ to hold the renewal ballot. The Ballot Holder is “the person the relevant billing authority has appointed under section 35 of the Representation of the People Act 1983(a) as the returning officer for elections to that authority”.
- 9.3. For the BID to proceed to another term, more than 50% of those who vote must vote ‘Yes’. Of those positive votes, the total rateable value must be higher, when added together, than the rateable value of those who voted ‘No’. If a ‘Yes’ vote is

secured, all businesses within the BID levy geographical area are legally obliged to pay the BID levy for the next five-year BID term.

- 9.4. Once the BID is in place, neither the BID area nor the BID levy percentage can be altered during the BID Term, without an Alteration Ballot.
- 9.5. In the event that the result of the Ballot is negative, the BID would cease from 31 March 2023. Should the BID cease, the Council may have to start resourcing or risk losing the following:
 - Minimum £695k investment, over five years, into projects to improve conditions in Bognor Regis.
 - Footfall monitoring (Springboard counter) (£3,180 per annum)
 - Regular updates and analysis of vacancy rates and uses.
 - Delivery and funding of the “Big Event for 2025” – the BID has committed to coordinating the logistics and promotion
 - Management and delivery of ADC’s pop-up retail unit
 - Management and delivery of Love Bognor Regis, the Bognor Regis tourism website.
 - Administrative support and liaison with ADC to facilitate the annual winter ice rink
 - The BID’s organisational capacity and financial flexibility to respond to emerging opportunities that benefit the town, compared to other delivery agents. This was evidenced in its response to the Covid pandemic, and particularly its capacity to deliver multiple, high quality, in-scope interventions through both the RHS and WBF funding streams.
 - Positive and enthusiastic partner in the development of long-term plans and delivery of projects and initiatives to ensure Bognor Regis’s future as a vital, vibrant and viable town.
 - Co-ordinated response to crime reduction through the Business Crime Reduction Partnership, including funding for the DISC reporting app, CCTV monitoring for evidence of reported crime, plus someone to run it, plus a 5/7 Community/Business Warden.
 - Re-installation, maintenance, insurance, safety checks and electrical supply (where applicable) to Festoon Lighting currently provided by BR BID to improve both reality and perceptions of safety at night at York Road, Old Town, Station Square, Bedford Street.
- 9.6. A ‘Yes’ vote would require the Council to pay an annual levy estimated at £5,200.00 which, is already within the council’s base budget (at current rates and as a non-domestic ratepayer in its own right). The Council will have a vote for each eligible hereditament (taxable property) included in the BID.
- 9.7. The Council’s Ballot Holder (the Chief Executive) would be required to conduct the ballot. The cost of the ballot would be met by the Council (the ballot is outsourced to an external company and would cost in the region of £2,495. Should the ballot not be successful the cost WOULD be re-charged to the Bognor Regis BID (as per the BID regulations).
- 9.8. The Council’s Revenues team undertakes the billing and collection of BID levy payments on behalf of the BID levy payers. The Council’s Electoral Team assists with the ballot process for the BID.

10. HUMAN RESOURCES IMPACT

10.1. There are no HR implications, the Bognor Regis BID is a standalone organisation.

11. HEALTH & SAFETY IMPACT

11.1. No additional health and safety risks have been identified as a direct result of the proposals. However, failure to maintain a BID partner may result in reduced health and safety standards should there be a reduction in resource or oversight of events and projects, and support available for businesses.

12. PROPERTY & ESTATES IMPACT

13.1 There are no impacts in regard to property and estates.

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1. The Bognor Regis BID aim and work to improve outcomes for all.
The recommendations in this report do not affect disproportionately one or more of the nine characteristics outlined in the Equality Act 2010.

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1. The support and promotion of good local businesses encourages less travel contributing towards less carbon emissions on a local level.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1. The Bognor Regis BID funded Business Warden contributes to the coordinated response in reducing crime and antisocial behaviour in Bognor Regis town centre in partnership with the Safer Arun Partnership (SAP)

16. HUMAN RIGHTS IMPACT

16.1. There are no relevant implications arising from this proposal that will affect or potentially affect any individual.

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1. There are no specific FoI or Data Protection issues arising from the proposals in the report.

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BACKGROUND DOCUMENTS:

- Draft Bognor Regis BID Business Plan 2023 - 2028