

**CABINET  
25 SEPTEMBER 2018**

**\*PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: HITCHIN AND LETCHWORTH BUSINESS IMPROVEMENT DISTRICTS (BIDs) RENEWAL**

REPORT OF COMMUNITIES MANAGER

LEADER OF COUNCIL: COUNCILLOR LYNDA NEEDHAM

**1. EXECUTIVE SUMMARY**

- 1.1 To obtain Cabinet's endorsement of proposals to progress to renewal ballots for the Business Improvement Districts (BIDs) for Hitchin and Letchworth. Renewal of the Royston First BID will form a separate report to Cabinet on 18<sup>th</sup> December 2018.

**2. RECOMMENDATIONS**

That Cabinet:

- 2.1. Consider the BID renewal proposals appended at A and B.
- 2.2 Delegates any further decisions to the Leader in consultation with officers from relevant NHDC services on instruction to hold the BID ballots (including confirmation of any conflict of the BID Proposals with the Council's adopted policies, and upon receipt of the finalised BID Proposals, instructing the Returning Officer to hold the BID ballots).
- 2.3 That the Service Director – Customers be authorised to cast the Council's votes in the BID ballots in favour of acceptance.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 The Council is under a legal duty to comply with the BID arrangements under section 44 of the Local Government Act 2003 ('the Act'). This includes compliance with the Act and The Business Improvement Districts (England) Regulations 2004 (as amended) ("the Regulations") in respect of receipt of any BID renewal.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Given the legal requirements to consider BID proposals under the Regulations, none is considered appropriate.

## **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 Consultation has been undertaken by the respective BID Managers, steering groups and their member bodies, business representatives and town centre retailers.

## **6. FORWARD PLAN**

- 6.1 This report contains recommendations on a key decision which was added to the Forward Plan on 10<sup>th</sup> July 2108.

## **7. BACKGROUND**

- 7.1 The concept of BIDS was introduced through Part IV of the Act and is further governed by The Regulations 2004/2443. The legislation provides for BID proposals to be made to a relevant Billing authority and, subject to meeting certain Regulation requirements (see below<sup>1</sup>), for this to be put to a ballot of relevant non-domestic ratepayers to be liable for the BID levy described in the BID proposals on the establishment or renewal of a BID, within a defined business area.

- 7.2 The BID, once established or renewed, has the power to levy an additional charge on Business Rate Payers within that BID area for the purpose of funding projects within the BID area. The purpose of the funding has to be set out in the BID Proposal, which is to include a 'business plan', consultation (with those who are liable to the proposed BID levy), and the financial management arrangements for the BID body, and arrangement for periodically providing the relevant billing authority with information on the finances of the BID.

- 7.3 In NHDC the process of consideration of the BID proposals and instruction to hold a renewal ballot has been through Cabinet.

- 7.4 For the purposes of BID proposals (including renewals) Members are asked to note that there are 3 relevant organisations/people that are required to fulfil certain roles and responsibilities in relation to the BID application. These organisations/people are:

1. The BID Proposer;
2. The Billing Authority;
3. The Ballot Holder.

- 7.5 The BID Proposer is obliged to draw up the BID proposal, the Billing Authority is obliged to consider the proposal and determine whether the BID proposal is in conflict with any of its policies and the Ballot Holder is obliged to run a ballot process in which all of the business ratepayers within the BID proposal area are entitled vote.

- 7.6 In these proposals for Hitchin and Letchworth BID renewals, the current BID companies are the BID Proposer, the Council is the Billing Authority and the Council's Returning Officer in respect of elections is the Ballot Holder.

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1. Regulations 4, 5 & Schedule 1 Proposal sent to the relevant Billing Authority (consultation, business plan and financial management arrangements, and notice in writing requesting the Billing Authority to instruct the Ballot Holder to hold the BID ballot, evidence of sufficiency of funds

- 7.7 The Authority's support in helping to sustain and continue BIDs within its towns is seen as very positive and whilst it increases costs to businesses marginally, the benefits to the local business community of being able to direct money it has contributed to increase footfall, provide events or increase security/trading opportunities are widely appreciated. North Hertfordshire is the only district within the country to have 3 BIDs in place.
- 7.8 The Council, as the Billing Authority, needs to be satisfied that the projects detailed in each of the BID proposals are not in conflict with its own adopted objectives or existing strategies, rather than to carry out a detailed analysis of the whole 'business plan' document. Earlier sample & draft versions of the proposal documents appended at A & B were received by the Council on 17<sup>th</sup> August 2018 and forwarded onto the relevant Service Directors & managers. Therefore there has been limited time to consider the proposals. Comments received have been incorporated in to the body of this report and Cabinet will be updated with any further comments at the meeting, where applicable. The responses re any potential conflict are as follows:
- Any proposals re future commercial waste arrangements / alternatives
  - Any proposals re the Authority's Parking Strategy and Local Plan which are currently under review
  - Proposals relating to improvements and changes to traffic flows & those seeking a reduction in through traffic within the towns
  - Any undertakings / obligations relating to the provision & delivery of NHDC baseline services
- 7.9 Officers from all relevant services have reviewed and provided comment with regard to the alignment of aspirations to existing strategies and for future proposals.
- 7.10 Where a Billing Authority is of the view that the BID renewal proposals conflict with a policy formally adopted by and contained in a document published by the Authority, it shall, as soon as reasonably practicable after receiving the proposals, notify the BID proposer or BID body, as the case may be, in writing explaining the nature of that conflict.<sup>2</sup> There is also a potential ability for the Billing Authority to veto any proposal but only under specific statutory circumstances set out in the Act and Regulations.

There is general agreement that the proposals & business plans attached as Appendices A & B are in accord with both existing and known planned works for both towns.

## **8. RELEVANT CONSIDERATIONS**

- 8.1 The Council is required to demonstrate a significant degree of involvement in this particular process, and across a range of its services, with the following responsibilities:
- Each BID Proposal that complies with the Regulations has to be considered by the Billing Authority to ensure that it is not in direct conflict with any of the Council's own adopted policies.

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<sup>2</sup> Regulation 4(4) of the Regulations

The BID Proposals are to be self funding, i.e. paid for from the levy as collected, and may include paying for enhancements (the 'additionality' element) to services already provided by the Council. Government Guidance<sup>3</sup> suggests that the most successful BIDs were those who have established close and positive engagement with the local authority and the Government appears to encourage this through the use of Service Level Agreements between the Council and the BID Organisations (although at this stage it is not mandatory). Such Agreements, if formalised would also recognise and monitor the 'additionality' the BID funding brings over the BID 5 year term.

- The Billing Authority is required to instruct the Returning Officer to conduct the ballot, with one vote assigned per business rate payer unit, subject to any exemptions that the BID companies agree, within the defined area of their BIDs. Maps denoting the BID areas are included within the proposals documents as Appendices A & B to this report.
- The Billing Authority has the right of Veto under s51 of the Act and Regulation 12 after the ballot if it conflicts with Policy adopted by the Authority; or would bring significant disproportionate financial burden.
- If the BID proposals are approved by the relevant business rates payers (see below and legal implications), the Billing Authority has to bill, collect, enforce and account for the BID Levy. Under the Regulations, the Council can charge for elements of this service but has opted not to do so for the existing BIDs; the same principles will apply to this renewal. (see financial implications below).
- The only entities exempt from the BID Levy are public libraries, religious organisations, public toilets, magistrates' courts, individual single parking spaces, communication masts, advertising hoardings and Police/fire/ambulance stations. For both the Hitchin and Letchworth BID renewals, NHDC is of course entitled to vote and would continue to pay additional charges for its own car parks; for property which the Council leases out within each of the BID boundaries, it is for lessees to pay the additional charge.
- Charitable organisations will not be exempt from the BID Levy, unless they can demonstrate that their presence in each town is by way of 'head office' or direct delivery, i.e. the giving of information or physical support, rather than as a 'trading' or commercial entity – such as a charity shop.

8.2 The BID ballot can only succeed if it can meet two tests which are;

- A simple majority of those who vote must register a 'Yes' **AND**
- The aggregate rateable value of those that vote 'Yes' must be greater than that of those that vote 'No'

These are not exclusive, since **both** tests must be achieved. The system is intended to ensure that there is a degree of parity in a town centre populated by larger multi nationals and smaller, specialist shops.

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<sup>3</sup> DCLG Business Improvement Districts Guidance And Best Practice March 2015

The BID ballot is statutory and binding and will apply to all businesses inside the BID areas regardless of whether or not they intend to vote and how they might vote. The ballot is a postal ballot and this time the whole process has been outsourced to an external company, UK Engage.

8.3 The Council's Revenues Team has reviewed the proposed BID areas contained within the business plans and has been able to identify the commercial properties which lie within each of the respective the BID area, and their rateable value. A review of the contact for each business has also been undertaken to ascertain the appropriate person to whom the ballot paper will be addressed, and the vote cast on behalf of their company, as many businesses have changed hands during the past five years.

8.4 The BIDs renewal proposal & business plans are attached at Appendices A & B

#### 8.4.1 Hitchin BID Renewal – Summary of Vision & Objectives

##### ***Vibrant***

1. *Seasonal floral planters and basket displays as well as coloured bunting.*

- *Fund a large floral display for the town centre with regular enhancements*
- *Work with local group and the council to encourage additional seasonal planting in existing areas*
- *Erect coloured bunting in designated areas in the town centre for the summer season*
- *Liaise with businesses on public realm decoration and how we can make improvements.*

2. *Large Christmas lights display in designated areas of the town centre.*

- *Fund an extensive Christmas lights display for the town centre.*
- *Tender for Christmas lights contract to include erecting, take down, storage and insurance*
- *Arrange and decorate the large town centre Christmas tree*
- *Review display on an annual basis to ensure regular repair, alterations and enhancements*

3. *Major town centre events, independent shopping days and promotions.*

- *Run a series of major town centre events such as Food Fest and Christmas light switch on.*
- *Support and organise a number of independent shopping events and promotions*
- *Encourage footfall circulation around the town including secondary trading areas.*
- *Design and print event guides, programme, maps and posters for various events and promotions.*

##### ***Promoted***

1. *Promoting the town as a tourist destination.*

- *Using expert advice from external companies, develop a robust tourism strategy for the town*

- *Produce a quality tourism guide for the town and distribute to a wide geographical area*
  - *Investigate new ways of promoting the town using national and international media*
  - *Gain great exposure for Hitchin through national and regional publications*
2. *Improving the town centre website and social media platform.*
- *Undertake extensive improvements to the town centre website*
  - *Using external companies, make improvements to the town centre social media*
  - *Make updates and improvements to the business directory section on the town centre website.*
3. *Marketing, promotions and collective branding for the town*
- *Co-ordinated and targeted marketing of the town centre as a place to work play an stay.*
  - *Create collective branding and style guide for town centre publications and marketing material*
  - *Develop campaigns to promote and encourage town centre shopping.*
  - *Encourage people attending town centre events to stay in Hitchin and explore.*

### **Clean and Safe**

1. *Continue funding town centre rangers, extended CCTV and town radio links*
- *Continue funding the town centre rangers, on hand to assist businesses and observe and report crime.*
  - *Provide extended CCTV cameras in key crime 'hot spots' in the town centre.*
  - *Continue to supply and manage the pub and shop radio links offering a discounted radio hire.*
  - *Continue to provide Night Rangers in the town centre.*
2. *Offer free cardboard and paper recycling and discount commercial waste.*
- *Offer BID businesses a discounted rate contract on commercial waste and food waste.*
  - *Continue to offer town centre businesses free cardboard and paper recycling*
  - *Fund cardboard rangers and electric van to undertake free cardboard and paper recycling*
  - *Investigate new way of recycling and look at additional recyclable waste.*
3. *Chewing gum removal, deep cleaning, graffiti and flyposting removal.*
- *Instruct an external company to undertake chewing gum removal around 'hot spots' in the town.*
  - *Remove obscene and unsightly graffiti using specialist equipment and use anti graffiti techniques.*

- *Report and remove flyposting in the BID area and advise businesses on the regulations around events promotions.*
- *Use an external company to deep clean the high footfall area of the town centre.*

### **Save & Support**

1. *Employee discount cards, job vacancy site and discounted free / training*
  - *Investigate the implementation of new employee discount card for the town centre.*
  - *Using the Hitchinherts.com website to promote town centre job vacancies.*
  - *Offer series of free/discounted health and safety training courses.*
  - *Organise a programme of free/discounted marketing media and business development courses.*
2. *A collective business voice on economic regeneration projects in the town centre.*
  - *Forcing the pace on the Churchgate refurbishment and development to include improvements to Hitchin Market*
  - *Make more of the riverside waterfront and riverside walkway.*
  - *Work with the Council's economic development officer to access project grant funding.*
  - *Lobby for public realm improvements in the town centre.*
3. *Improvements and changes to traffic flow, car parks and encourage new start-ups.*
  - *Investigate how car park usage can be improved through new technology*
  - *Real time electronic car parking signage feasibility study and possible implementation*
  - *Seeking a reduction in through traffic in and around Market Place*
  - *Encouraging new business start-ups in available empty units.*

#### **8.4.2 Letchworth BID Renewal – Summary of Vision & Objectives**

*Assuming a positive BID vote by a majority of businesses by both rateable value and number, BID operations will start on 1<sup>st</sup> April 2019 and will continue for a total of 5 years.*

##### **The Vision**

*Through this business-led programme of investment the vision is for Letchworth town centre to be:*

- *A 21st century Garden City which is connected and engaged with its residential and business community*
- *A vibrant 'Go to' place with a sense of common purpose which is attractive and appealing for everyone who lives, works, visits and does business in Letchworth*
- *A place which is lively, has a strong sense of identity and awareness and is recognised internationally.*

**Objective 1: Lively and well promoted**

*To create a place which is lively, has a strong sense of identity and awareness.*

**Activities**

- a. *Work with others to define, develop and promote the brand identity of Letchworth town centre which reflects its strengths, characteristics and heritage and is reflected in everything the BID and other partners deliver.*
- b. *Increase awareness of Letchworth as a destination, its business sectors, its events and all it has to offer by using digital and social media channels, traditional marketing and PR in a way which is consistent with its brand.*
- c. *Develop promotional campaigns to attract more people and loyalty schemes, to encourage more frequent use of the town centre.*
- d. *Develop Sundays into a day for a great family experience.*
- e. *Develop and organise a programme of annual and regular events and activities to create an animated feel to the town centre throughout the year, including the quieter months.*
- f. *Promote, develop and recognise customer service excellence through award schemes.*

**Objective 2: Welcoming, attractive and accessible**

*To provide a welcoming, attractive and easily accessible environment for visitors, workers and residents to explore and enjoy.*

**Activities**

- a. *Work with others to maintain and enhance the usability, appearance and vibrancy of the streets and open spaces.*
- b. *Work closely with the Council and other car park operators to improve parking availability, signage, access, payment structures and the overall experience across Letchworth for both visitors and those who work in the town.*
- c. *Work with others to address signage to encourage people to explore and make more use of the town and all it has to offer.*
- d. *Work with others to develop a diverse evening and night time leisure offer which appeals to people from all ages and backgrounds, in a safe, clean and attractive environment.*
- e. *Working with others to address anti-social behaviour and crime issues which impact upon the visitor experience and affect businesses in certain areas*

**Objective 3. Businesses working together**

*To represent the collective voice of businesses in the town centre to ensure that it continues to develop into a great place to do business and meets the needs of those who live, work, visit and do business in Letchworth.*

### **Activities**

- a. *Work with others to develop a town centre offer which reflects the current and future needs of the Letchworth residential and business community.*
- b. *Implement effective communications between businesses and the BID to promote awareness of different issues which may affect trading conditions or opportunities for their benefit.*
- c. *Work with landlords, agents and others to ensure that vacant or derelict properties are maintained and presented in a smart and tidy appearance.*
- d. *Influence, support and encourage plans and proposals for new buildings, signage, building refurbishments and public realm developments which build upon the town centre's strengths.*
- e. *Encourage an increase in trading between businesses in Letchworth and between businesses and those who work in Letchworth.*
- f. *Work with businesses to identify opportunities and implement initiatives which will contribute towards the reduction of business overheads.*
- g. *Work with other organisations to monitor footfall, commercial performance, parking statistics, customer perceptions and other key measures across the Letchworth BID area and provide updates for businesses.*

8.5 The BID proposals in their current format have been agreed by the respective BID Steering groups, and therefore the intention is that they will ultimately form the document on which votes will be sought.

8.6 Each BID Proposal must define the percentage of rateable value to be used to calculate the BID Levy.

- Hitchin's existing BID levy is currently set at 1.85% plus inflation, which equates to an annual amount of £260k. It is envisaged to keep this the same for the next 5 year period.
- Letchworth's existing BID levy is currently set at 1.5% plus inflation, which equates to an annual amount of £147k. Likewise it is envisaged to keep this the same for the next 5 year period.

### ***Timetable for BID renewal:***

8.7 The Regulations underpinning the development of Business Improvements (statutory instrument – Business Improvement Districts 2004 – No 244) lay down a very specific timetable for progressing to ballot.

### **At least 84 days before the Day of Ballot**

Notice given in writing, by the BID proposer to the billing authority (NHDC) and the Secretary of State of the intention to request a ballot.

**NHDC Cabinet to consider progress to Ballot**

**25<sup>th</sup> September 2018**

**Publication of Notice of Ballot**  
(At least 42 days before day of ballot)

**by 24<sup>th</sup> October 2018**

This will be posted on NHDC's website and mailed to all eligible voters by UK Engage. Eligible voters will also be sent a request to confirm their voter details and an application form to appoint a proxy if they wish.

**Ballot packs issued to hereditaments entitled to vote** **by 7<sup>th</sup> November 2018**

**Last date for proxy appointment** **25<sup>th</sup> November 2018**

**Issue of replacements after 5pm** **29<sup>th</sup> November 2018**

**Day of ballot** **5<sup>th</sup> December 2018**

Any last minute sealed votes not posted to UK Engage by Friday 31<sup>st</sup> October 2018 can be handed in at the Council Offices, North Hertfordshire District Council, Gernon Road, Letchworth Garden City, Herts SG6 3JF up until 5.00pm on Wednesday 5<sup>th</sup> December 2018. These will be verified and sent onto UK Engage for inclusion.

**Declaration & Results Announced** **7<sup>th</sup> December 2018**

## **9. LEGAL IMPLICATIONS**

- 9.1. BID arrangements are not to come into force unless proposals for the arrangements are approved by a ballot of the non-domestic ratepayers in the proposed BID area subject to the levy, having followed the provisions in the Regulations, as per section 49, and section 54 of the Act. The BID approvals are then not regarded as approved by a ballot unless (1) the majority of persons voting in the ballot have voted in favour of the BID proposals; and (2) the aggregate of the rateable values of each hereditament in respect of which a person voting in the ballot has voted in favour of the BID proposals exceed those in the same positing voting against the proposal; as per section 50 of the Act.
- 9.2. The Billing Authority is required by law to conduct the renewal Ballot and to administer the BID billing, collection, enforcement and accounting if the ballot is successful, in accordance with Part IV of the Local Government Act 2003 (The Act). This is further governed by the Business Improvement Districts (England) Regulations 2004 (The Regulations).
- 9.3. Regulations 4, 5 and Schedule 1 set out what a BID proposal must include. The Regulations state that a valid BID proposal, including renewal, must contain the following information:-
- a statement of the works or services to be provided, the name of who will provide them (the name of the BID body) and the type of body the provider is (whether a local authority, a company under the control of the authority, a limited company or a partnership);
  - a statement of the existing baseline services (if any) provided by the relevant billing authority or other public authority;
  - a description of the geographical area (including a map showing that area) in which the proposed BID arrangements are to have effect;

- a statement of whether all non-domestic ratepayers in the geographical area or a specified class of them are to be liable to the BID levy, an explanation of how the amount of the BID levy to be levied is to be calculated, and an explanation of whether any of the costs incurred in developing the BID proposals, holding of the ballot or implementing the BID are to be recovered through the BID levy;
- a statement of the specified class of non-domestic ratepayer (if any) for which and the level at which any relief from the BID levy is to apply;
- a statement of whether the BID arrangements may be altered without an alteration ballot and, if so, which aspects of the BID arrangements may be altered in this way;
- a statement of the duration of the BID arrangements; and
- a statement of the commencement date of the BID arrangements.

9.4 The Act and Regulations also require a Billing Authority, in this case the Council, determine whether BID proposals

*conflict with a policy formally adopted by and contained in a document published by the authority (whether or not the authority is under a statutory duty to prepare such document)*

9.5 The Council, as Billing Authority, *may* in prescribed circumstances, veto the proposals within such period from the date of the ballot, and must give notice to those entitled to vote in the ballot, detailing reasons and right of the appeal (and sent a copy of the notice to the Secretary of State), as per the requirements of section 51 of the Act. The Billing Authority can only do so, having considered a number of factors (including although not limited to level of support in the ballot), if the BID arrangements are likely to:

*(a) to conflict to a material extent with any policy formally adopted by and contained in a document published by the authority (whether or not the authority is under a statutory duty to prepare such document); or*

*(b) to be a significantly disproportionate financial burden on any person or class of persons (as compared to the other non-domestic ratepayers in the geographical area of the BID) and–*

*(i) that burden is caused by the manipulation of the geographical area of the BID or by the structure of the BID levy; and*

*(ii) that burden is inequitable.*

9.6 The Council is entitled to vote in the ballot relating to the attached BIDs renewals proposal. Cabinet at its July 2013 meeting nominated the former Head of Revenues Benefits and IT, now the Service Director for Customers, Howard Crompton, to vote on behalf of the Council in the proposed Letchworth, Hitchin and Royston BID renewal ballots. It is however, recommended that this delegation is renewed following the Council's recent restructure, for clarification purposes as per 2.3.

9.7 Otherwise, the legal requirements are contained within the body of the report.

## 10. FINANCIAL IMPLICATIONS

- 10.1 The Council's additional financial responsibilities fall into five categories;
- The cost of running / outsourcing the ballot
  - The annual cost of maintaining administrative software
  - Administration costs
  - The cost of the council's own BID levy on its town centre premises and land holdings
  - Any additional costs incurred by agreed additional works of the Authority in regard to events & car parking etc

- 10.2 In the past the Authority agreed to cover the cost of resources required to undertake each of the renewal processes. The cost of running the Letchworth and Hitchin BID in-house is £5,600 while the price quoted by UK Engage to run the ballot on behalf of NHDC is £3,600, so a saving of £2,000. However, regulations do permit the Council to make a charge for undertaking the process. In addition, were either of the Ballots to vote for rejection, *where the turn out is less than 20%*. In this instance, the Council can seek to recover its costs from the BID organisation. The BID Board have been made aware of this small risk, and understand that sufficient budget will be set aside as a contingency were this to be the case.

- 10.3 The annual administrative costs per property are de-minimus as this is largely an automated process, which is already being carried out for the three existing BID areas.

Evidence from these existing BIDs also indicate very high collection rates with only a few accounts requiring any enforcement proceedings. Under the BID arrangements, only one bill will be issued per property each year and the BID Levy is payable in one instalment. BID Levies are apportioned in cases where occupation changes part way through the financial year. If this didn't happen then the NNDR system and the BID system would show different information, which would cause problems when it comes time to ballot as the data bases would not match. The Council bears no liability for bad debts. Only BID Levies collected are passed over to the BID Organisation. The Council does retain any Court Costs awarded by the Magistrates in applying for any Liability Orders; the cost is £30 if NHDC were to progress to Court and obtain a liability order for non-payment. The debt is then passed to the enforcement agency and further costs are incurred in line with the Taking Control of Goods (Fees) Regs 2014. However the fees incurred are added onto the debt, so NHDC does not incur any costs. If cases are unsuccessful, the case is returned to the Council for consideration of further recovery.

- 10.4 As the Council itself pays business rates, it will also have a liability to pay the BID Levy for those properties in which it is in rateable occupation, as it does now. This currently equates to:

- £6,961 pa re Hitchin BID
- £6,545 pa re Letchworth BID

- 10.5 The BID Business Plans make reference to the respective BID activities / proposals which if progressed during the new BID term will be in addition to the existing services provided by NHDC, not a replacement. The Council also needs to satisfy itself that the BID activities as proposed do not *rely* in any part on additional services or contributions from NHDC (other than the BID levy) over and above resources already committed.

## **11. RISK IMPLICATIONS**

- 11.1 Should the recommendations be approved, as the Council bears no additional financial responsibility for any debts, and the final decision to progress to ballot is that of the BID organisation, the main risk remaining for the authority is that it may be perceived this is an additional sum levied by and *retained* by the Council, especially so in times of austerity. It must therefore be explicit in promotional material that whilst the Council is responsible for collection, it is not responsible for spend and that all of the money collected passes to the BID company.
- 11.2 Each year, Officers review the risks relating to the Council's involvement in all three BIDs, via the Risk Register. Currently, Officers have assessed the BIDs as being low risk in respect of both impact and likelihood.

## **12. EQUALITIES IMPLICATIONS**

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 The areas over which the BID companies seek to levy this additional rate is determined by them in consultation with local businesses, and does include all sizes and types of businesses, from multi-nationals to sole traders. The exclusion of certain premises, including those used for faith purposes, removes any additional burden which could be incurred by them, especially as it is questionable what additional benefits they could secure by additional footfall or use of the town in the evening. The BID initiatives seek to indirectly support the aim to foster good relations between those who share a protected characteristic and those that do not

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at paragraphs 12.

## **14. HUMAN RESOURCE IMPLICATIONS**

- 14.1 Relevant service areas have been made aware of the intention for all three BIDs of to seek renewal of their existing BID arrangements and have made relevant arrangements to resource review of the business plans, and for outsource the running of the postal ballot itself, as not to conflict with other work commitments.

## **15. APPENDICES**

- 15.1 Appendix A – Hitchin BID Renewal Business Plan 2019 - 2024
- 15.2 Appendix B – Letchworth BID Renewal Proposal & Business Plan 2019 - 2024

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**17. BACKGROUND PAPERS**

- 17.1 The Business Improvement Districts (England) Regulations 2004 & DCLG Business Improvement Districts Guidance And Best Practice March 2015