

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

*PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted [*if applicable*]

SERVICE DIRECTORATE: CUSTOMERS

1. DECISION TAKEN

1.1 That following consultation as detailed in section 6; the Council intends to vote in favour of each of the Business Improvement Districts (BIDs) for a further term of five years.

2. DECISION TAKER

2.1 Jo Dufficy, Service Director Customers

3. DATE DECISION TAKEN:

3.1 02 November 2023

4. REASON FOR DECISION

4.1 The Council is in favour of the BIDS continuing to operate for a further five-year term to provide additional support to the businesses in each of the BID areas.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 The Council has voting rights for each eligible hereditament within each BID area, the only decision that can be made is whether to vote in favour of the BID or not.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

6.1 Consultation has taken place with the relevant Executive members as follows:

- The Leader, Cllr Elizabeth Dennis and Deputy Leader, Cllr Ruth Brown
- Executive Member for Finance and IT, Cllr Ian Albert
- Executive Member for Enterprise and Arts, Cllr Keith Hoskins

6.2 Consultation has also taken place with the Councils Leadership Team.

6.3 All consultees agree that the Council should vote in favour of the BIDS.

7. FORWARD PLAN

7.1 This decision is a key Executive decision, which was notified to the public in the Forward Plan on 26th May 2023 in readiness of the Cabinet decision detailed further at paragraph 9.2.

8. BACKGROUND/ RELEVANT CONSIDERATIONS

- 8.1 A Business Improvement District is a defined area in which a levy is charged on all business rate payers in addition to the business rates bill. This levy is used to develop projects which will benefit businesses in the local area.
- 8.2 There is no limit on what projects or services can be provided through a BID. The only requirement is that it should be something that is in addition to services provided by local authorities. Improvements may include, but are not limited to, extra safety/security, cleansing and environmental measures.
- 8.3 Within the District of North Hertfordshire there are three BIDs, one for Letchworth, one for Hitchin and one for Royston. Bids operate on five-year terms and in order to renew the BID for a further term a ballot must be held for the eligible businesses within each BID area to vote on whether they are in favour or not of renewing the BID for a further five-year term. Each of the BIDs have a business plan or prospectus outlining the services to be provided during the five-year period.
- 8.4 The proposals for each BID were considered by Cabinet on 19 September and the Councils Returning Officer was instructed to hold the BID renewal ballot. The ballot for Royston will close on 30 November 2023 and for Hitchin and Letchworth will close on 07 December 2023.
- 8.5 The Council has a number of hereditaments within each of the BID areas and therefore has voting rights in relation to each eligible hereditament. The Council is also liable to pay any BID levy.

The Councils liability under the new BID term will be as follows:

- £15,606.69 pa re Hitchin BID for 24 hereditaments
- £6,378.75 pa re Letchworth BID for 7 hereditaments
- £2,165.63 pa re Royston BID for 4 hereditaments

9. LEGAL IMPLICATIONS

- 9.1. BID arrangements do not come into force unless proposals for the arrangements are approved by a ballot of the non-domestic ratepayers in the proposed BID areas that are subject to the levy, having followed the provisions in the regulations, as per section 49, and section 54 of the Local Government Act 2003. 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. At the Cabinet meeting held on 19th September 2023, Cabinet considered the BID renewal proposals for Hitchin, Letchworth and Royston and instructed the Returning Officer to hold the BID renewal Ballot.
- 9.3. Cabinet also decided to Delegate the Council's voting rights in the BID renewal process to the Service Director – Customers.

10. FINANCIAL IMPLICATIONS

10.1 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.

10.2 The Councils liability under the new BID term will be as follows:

- £15,606.69 pa re Hitchin BID for 24 hereditaments
- £6,378.75 pa re Letchworth BID for 7 hereditaments
- £2,165.63 pa re Royston BID for 4 hereditaments

10.3 There are no capital implications arising from this decision.

11. RISK IMPLICATIONS

11.1 There are no material risks arising from this decision.

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.

14. ENVIRONMENTAL IMPLICATIONS

There are no known direct Environmental impacts or requirements that apply to this decision. The activity of the BID is to attract residents into the respective town centres. This may increase carbon emissions in places, but this activity may be balanced by Active Travel Initiatives and other schemes to reduce reliance on private cars to travel.

15. HUMAN RESOURCE IMPLICATIONS

15.1 There are no known Human Resource impacts or requirements that apply to this decision.

16. BACKGROUND PAPERS

16.1 Report of the Economic Development Officer, Hitchin, Letchworth, and Royston Business Improvement Districts (BIDs) - Cabinet 19th September 2023

17. APPENDICES

17.1 None

NOTIFICATION DATE

10 November 2023

Signature of Executive Member Consulted



Date 03 November 2023



Signature of Decision Taker

Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

Call-in does not apply to NON-EXECUTIVE DECISIONS