

Appendix A

Legislative Framework

- 1.1 The establishment of a Business Improvement District (BID) is governed by Part 4 of the Local Government Act 2003 and the Business Improvement Districts (England) Regulations 2004 (“the 2004 regulations”). This legislation requires the Council to work with the proposer upon submission of a formal proposal (business plan) to the Authority and the Secretary of State. This process is first triggered by an 84 Day Notice which calls on the Council to make preparations for ballot.
- 1.2 Notices of ballot have been received from Cressex Business Park BID Steering Group (17 February 2022) and HWBIDCo (18 February 2022) as set out later in this report. HWBIDCo and the Cressex BID Steering Group will submit to Buckinghamshire Council a copy of their proposed business plan, a summary of the consultation taken with the BID levy payers and summary of the financial management arrangements for the BID.
- 1.3 The Local Authority is required to ensure that the ballot is operated, either in-house or outsourced, in line with BID Regulations.
- 1.4 It is a requirement under Schedule 1, paragraph 1(1) (b) to the BID Regulations that the BID proposals include a statement of the existing baseline services provided by the local authority or any other public authority in the proposed BID area (if any)ⁱ. For Example, if street cleansing was included in the BID business plan the Local Authority would have to set out the current service provision as the baseline. Services funded by the BID would be set out and agreed as additional to the baseline offer.
- 1.5 The statement of baseline services is only required where there is a correlation with the services proposed by the BID. This statement will form part of the BID proposals which demonstrate to businesses voting for the BID that the proposed BID services are, as at the time of the BID Proposal, additional to the baseline services provided by the public authorities (if any).
- 1.6 The Local Authority is required to manage the collection and enforcement of BID levy charges. BID Bodies and their local authority establish a levy collection agreement covering the BID term, referred to as an Operating Agreement. The purpose of this agreement is to define the principles and processes for collecting the levy; enforcing the payment of the levy; reporting on collection and bad debt; monitoring provisions between then BID and the local authority; and providing regular detailed and summary information on the service to the BID as the client.

Ballot Timeline

1.7 The timeline that will be followed is set out in **Table 1** below:

Action	HWBIDCo	Cressex BID Steering Group
84 Day Notice setting out intention to instruct Council to put BID proposal to ballot	18 Feb 2022	17 Feb 2022
Notice in writing to instruct the billing authority to instruct the ballot holder to hold a BID ballot in relation to the BID proposals	On or after 12 May 2022	On or after 6 May 2022
42 Day Notice of Ballot issued	26 May 2022	1 Jun 2022
Issue of ballot papers (28 day ballot period)	9 Jun 2022	15 Jun 2022
Day of Ballot	7 Jul 2022	13 Jul 2022
(Expected result of Ballot)	(8 Jul 2022)	(14 Jul 2022)
Start of BID five-year term	1 Oct 2022	1 Oct 2022

- 1.8 The Revenues Team have supplied up to date rateable value (RV) lists to both proposers to enable schedules to be developed and enable Civica to prepare for ballot.
- 1.9 Buckinghamshire Council, via Civica, will issue the formal 42 Notice of Ballot on the 26 May and 1 June 2022 respectively.
- 1.10 The Local Authority is required to manage the collection and enforcement of BID levy charges. BID Bodies and their local authority establish a levy collection agreement

ⁱ This typically includes green space management (grass cutting, planting, tree maintenance); highway and pavement cleansing / maintenance; car parking; enforcement; licencing; street scene maintenance including litter bin emptying frequency and other cleansing activity; gritting; road name plates, signage, bollards; street lighting activities; community safety / CCTV for example. This is to ensure that any project work developed by the BIDs is 'additionality' and not duplicating what we are required to doⁱ. This will be progressed from May.