



## Report to Cabinet

<b>Date:</b>	10 May 2022
<b>Title:</b>	<b>Business Improvement District (BID) Ballots: High Wycombe Town Centre (HWBIDCo) and Cressex Business Park BID</b>
<b>Cabinet Member(s):</b>	Councillor Gareth Williams
<b>Author and/or contact officer:</b>	Jacqueline Ford
<b>Ward(s) affected:</b>	Abbey Ward
<b>Recommendations:</b>	<ol style="list-style-type: none"><li><b>1. To note that the Buckinghamshire Council has received two notices of intent to ballot from HWBIDCo (High Wycombe Town Centre) and the Cressex BID Steering Group (Cressex Business Park);</b></li><li><b>2. To note that arrangements are put in place for a postal ballot and for the Returning Officer with the support of the Economic Development Manager, to appoint Civica to undertake this;</b></li><li><b>3. That Cabinet confirms its full support to the creation of a new Business Improvement District on Cressex Business Park and for the continuation of High Wycombe Town Centre BID (HWBIDCo);</b></li><li><b>4. The Corporate Director for Planning, Growth and Sustainability, in consultation with the Cabinet Member for Planning and Regeneration, be given delegated authority to vote 'yes' in the HWBIDCo ballot and Cressex Business Park ballot subject to ballot offers being satisfactory, and</b></li><li><b>5. Subject to a yes vote, that the Corporate Director for Planning, Growth and Sustainability, in consultation with the relevant Cabinet Members and service areas, be authorised to agree the detailed service level agreements in line with the business plans submitted and any operational decisions required to enable both BIDs to commence from 1 October 2022.</b></li></ol>

**Reason for decision:** To ensure the Council is ready to discharge its duties to as set out in Part 4 of the Local Government Act 2003 and supplemented by the Business Improvement Districts (England) Regulations 2004. This includes arrangements for ballot and, if successful, arrangements for levy billing and collection and ensuring Operating Agreements are in place.

## **1. Executive summary**

- 1.1 The Business Improvement District (BID) operating in High Wycombe Town Centre (HWBIDCo) comes to an end on the 30 Sep 2022. HWBIDCo has served notice of its intent to instruct the billing authority (Buckinghamshire Council) to put a new BID proposal to ballot to enable a third five-year term from 1 October 2022.
- 1.2 Notice has also been served by the Cressex BID Steering Group of its intent to instruct Buckinghamshire Council to carry out a ballot on a proposal to create a new BID on Cressex Business Park from 1 October 2022.
- 1.3 Legislation requires that the Council put ballot arrangements in place and, on receipt of a successful ballot outcome, make arrangements for the billing and collection of a levy payment. The Council is also required to work with the BID proposers to develop baseline service and operating agreements to ensure that activity carried out by the BID is additional to that provided by the local authority and that reasonable charges for levy billing and collection are agreed.
- 1.4 The importance to both the town centre in High Wycombe and Cressex Business Park in achieving BID status is that each BID, over the period of 2022 – 2027, will generate c £1.2m and £1.45m business-led investment to support their respective trading environments and will enable the delivery of a targeted range of improvements to benefit businesses and the local economy.
- 1.5 This paper sets out the Council’s statutory obligations in this process along with an overview of the activity carried out by HWBIDCo and the Cressex BID Steering Group to provide assurance that this has been carried out as per the requirements of the 2004 Regulations.

## **2. Content of report**

### **Background**

- 2.1 A Business Improvement District (BID) is a business-led partnership that covers a defined geographic 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 and improve the trading environment. A levy

rate is typically between 1% – 3% of the rateable value. A BID is established following a ballot process and has a five-year term. Approaching the end of this period, the BID is required to consult with businesses once more, develop a new business proposal and carry out a new ballot of businesses.

- 2.2 There is no limit on what projects or services can be provided through a BID. The only requirement is that it should be ‘additional’ to services provided by local authorities. Improvements may include, but are not limited to, extra safety/security, cleansing and environmental measures. The Council is required to work with the proposer to develop a baseline service agreement that defines what statutory activities are carried out in the geography of the BID to ensure that new activity demonstrates additionality.
- 2.3 A successful vote is one that has a simple majority both in votes cast and in rateable value of votes cast. Each business entitled to vote in a BID ballot is allowed one vote in respect of each property occupied or (if unoccupied) owned by them in the geographical area of the BID.
- 2.4 Once the BID is in operation the levy is charged on all businesses within the BID area (regardless of whether or how that business voted in the ballot). The Council is required to set up arrangements to collect the BID levy on behalf of the BID from businesses within the designated BID area. A charge is made for this.
- 2.5 The content of the BID business plan is determined by (a) HWBIDCo in consultation with businesses in the established BID area and (b) in the case of the Cressex BID Steering Group, the businesses within the proposed BID area. Buckinghamshire Council has no right to veto the proposal based on opinions regarding the contents, although may choose to vote against the proposal if it is opposed to the content of the plan.
- 2.6 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”). A summary of what this means for the Council is set out in **Appendix A**.

### **Business Improvement Districts (BIDs) in Buckinghamshire**

- 2.7 There are currently two BIDs established in Buckinghamshire: a town centre BID in High Wycombe known as HWBIDCo and a business park BID on Globe Business Park in Marlow (started in 2015 with a second five-year term running from January 2020 to 31 December 2025). Legacy Wycombe District Council was instrumental in establishing both BIDs by making financial allocations to support their creation.
- 2.8 Prior to unitary transition, project work was nearing completion to create a third BID on Cressex Business Park. This was scheduled to go to ballot in summer 2020 but with the onset of Covid-19 this was placed on pause.

## **Ballot arrangements**

- 2.9 84 Notices of ballot have been received from Cressex Business Park BID Steering Group and HWBIDCo setting out the intention of both to instruct Buckinghamshire Council (as the billing authority) to put their proposals to ballot.
- 2.10 In consultation with the Returning Officer, the Economic Development Manager has appointed Civica to carry out the ballot. Indicative costings have been supplied and these are now being refined in consultation with the two proposers. In the case of HWBIDCo (c£3,700) this will be recharged to the BID. In the case of Cressex (c£2,030) this has been budgeted for as part of the project set up costs.

## **BID process overview**

The following section sets out an overview of HWBIDCo and the Cressex BID Steering Group and their pre-ballot activity to provide assurance that this has been carried out as per the requirements of the 2004 Regulations.

## **HWBIDCo**

- 2.11 HWBIDCo was established on the 1 October 2012 and achieved a successful five-year second term ballot from 1 October 2017. The BID is setup as a Company Limited by Guarantee and is a business controlled, not-for-profit company. The BID Board of Directors has representation from sectors across the town including independent retail, entertainment, hospitality and leisure (Wycombe Swan, Wycombe Arts Centre), national retail (Eden Shopping Centre), night time economy establishments and the University. Cllr Lesley Clarke OBE and Cllr Tony Green are the Council's appointed representatives on the HWBIDCo Board.
- 2.12 The management of hanging baskets, planters, lamp column banners, management of bookings for public realm and the organisation of the popular Christmas Light Switch On Event in November have been successfully devolved to HWBIDCo since 2012.
- 2.13 For BID3, a boundary review has been carried out by the BID Board and an extension proposed to include an additional section of Oxford Road and Westbourne Street area. This has increased the total number of hereditaments from BID2 by 61 – making 763 (c625 businesses). The area covered is shown in **Appendix B**.
- 2.14 For Term 3, HWBIDCo will charge a 1.1% levy for hereditaments with a rateable value (RV) over £2,500 (with a reduction for shopping centre premises who have additional management charges). This is an increase of 0.1% on BID2 and the first increase made. Similar (and higher) increases have been noted over the last year nationally with other town centre BIDs. Using a 95% collection rate, this will generate c£1.45m of investment into the town centre over the five-year term.

2.15 Key achievements over the last term focussed on five themes:

- a) **Enhance & Recover:** helped with Covid support promotion, installed footfall sensors and free WiFi in the town centre; launched new visitor website My Wycombe; 750+ floral displays (hanging baskets and planters); worked with the council as a delivery partner for Welcome Back Fund activities to bring a range of footfall-driving animations to the town.
- b) **Better for Business:** secured £1.2m BID levy and £400k extra funding; free parking days; extended employee benefits scheme and represents the business voice on the High Wycombe Regeneration Board and Community Board.
- c) **Safe & Secure:** more than 166 businesses on the DISC app and radio schemes; Pubwatch and Shopwatch membership groups; delivered key training; working with the Police and other partners through the new Town Centre Partnership to address perception issues in the town; collaborated on the new Community Hub.
- d) **Promote & Animate:** creation of the partnership 'MyWycombe' website to promote events and animations across the town linked to a common town branding; installed free town centre WiFi; new parklet seating on Frogmoor; new cross-street banners and bunting deployed – including heritage chair bunting; provide regular business updates and e-newsletters.
- e) **Events & Activities:** runs three large events a year – Frogfest (May), Desborough Carnival (Aug) and Christmas Light Switch On (Nov) and a range of smaller experimental and innovative events such as live theatre, character meet and greets and free crafts events / family activities, introduced new events in 2021 including Heritage Day (September) and additionality to Armed Forces Day; introduced the Vegan Market; set up 'Live After Five' pop up entertainment to support the early evening economy; and is working with the council and market operator to provide further animations on market days.

2.16 Buckinghamshire Council currently has responsibility for 27 hereditaments within the BID area made up of operational and income generating sites. These include the Council Offices on Queen Victoria Road, the Old Wycombe Library, the Library (in Eden), car parks (Easton Street and The Swan) and retail units for example. The Council will have one vote for each hereditament. The Council will be eligible for levy payment from 1 October 2022 if a business rental property is not tenanted. As the BID has been an established entity since 2012, the cost of levy payments is

already factored into baseline budget setting by the Property and Assets and Car Parks Team. Indicative levy liability is c £14.8k a year.

- 2.17 Should a property be de-listed for rates purposes due to redevelopment work, depending on the timings of this, the Council will not have the opportunity to vote in June and will not be liable for the year 1 charge on the 1 October 2022.
- 2.18 HWBIDCo ran a consultation exercise with levy payers through January and February 2022 to ascertain business perceptions and priorities for improvement for the town centre to help shape and determine the activities and actions that will form the new business plan.
- 2.19 The key project areas for the next five-year term focus on:
- a) **Better for Business:** being the voice for business; extend employee benefits; support the continued evolution of the market space; advocate pedestrianisation; develop business awards to celebrate achievements of local businesses.
  - b) **Safe & Secure:** continuation of DISC app, radio scheme, Shop Watch and Pub Watch membership groups; support for and development of night time economy / live after five agenda – including new campaigns such as ‘Best Bar None’ and ‘Women’s Night Safety Charter’; partnership working to address ASB with introduction of contactless giving points to deter begging and raise vital funds for support charities and pursue Purple Flag once more.
  - c) **Marketing the Town:** evolve and grow the ‘My Wycombe’ brand and media sites to promote the town – including the creation of original content and video; raise the profile of the town in national media; develop seasonal maps and guides; investigate a new loyalty card and monthly campaigns to spotlight BID businesses.
  - d) **Events & Animations:** continue to deliver a compelling calendar of events to increase footfall – learning from the successful ‘little and often’ post Covid approach as well as three major events; take charge with town dressing and animation projects to make the trading area attractive; trial innovative and experimental pop up events that utilise the public space within the town.
  - e) **Enhance & Evolve:** continue to invest in greenery (hanging baskets, pots and planters) to bring colour and vibrancy to the street scene; lobby for improvements to street cleaning (gum clearance for example); continue the

popular 'town tidy' events; evolve and grow the employee perks scheme;  
continue card board recycling and explore High Wycombe gift / loyalty card.

- 2.20 The management of hanging baskets, planters, lamp column banners, management of bookings for public realm and the organisation of the popular Christmas Light Switch On Event in November have been successfully devolved to HWBIDCo since 2012.
- 2.21 HWBIDCo is an established and respected organisation within the town centre and carries out a range of activities to support businesses and provide animation to attract footfall and increase dwell time. If the BID is not successful at renewal, then this will be a significant loss to the business community and wider community and mean that the council may be required to step in to support some of the established functionality while an alternative operating model for town centre management is determined.

#### **Cressex Business Park BID**

- 2.22 The Cressex BID Steering Group re-engaged with business across the park through February 2022 to seek confirmation that the improvement themes identified in 2019 were still the correct focus post Covid-19. Support was received from businesses with a request for environmental improvements to improve the look and feel of the business park to be elevated as a higher priority.
- 2.23 The Business Plan themes for a first five-year term focus on:
- a) **Theme 1: Getting Cressex Moving**
    - i. Lobby for new investment for transport infrastructure (*as per work of Steering Group in 2019 to support Bucks CC application for Pinch Point Funding*)
    - ii. Work with landlords to review and improve parking options
    - iii. Champion development of sustainable and active transport solutions
  - b) **Theme 2: Creating and Attractive and Secure Environment for Businesses**
    - i. A greener, cleaner and more attractive business park
    - ii. Landscape master plan
    - iii. Unit numbering and signage
    - iv. Safe and secure
  - c) **Theme 3: Supporting Businesses and Investing in Employees**

- i. Establish a business park management service – your first point of contact to get things done
  - ii. Engage and work with landlords to secure improved facilities and amenities
  - iii. Improved communications and profile: regular e-bulletins and other communication channels set up
  - iv. Employee incentives
- 2.24 Seed funding was allocated by Wycombe DC as part of the BID development budget to enable quick wins to be progressed concurrent with the BID process to demonstrate to businesses what can be achieved with a small pot of money. This has enabled a baseline image audit to be conducted; a site mapping and zoning exercise is underway to inform wayfinding signage installation; a messaging system has been set up (proving useful for keeping businesses in the loop about upcoming road works in the area) and Living Streets holding an inaugural lunchtime walk on the 9 February (that attracted 30+ employees), for example.
- 2.25 The proposed area covered by the Cressex Business Park BID is set out in **Appendix B** and includes 446 businesses of which 226 will be eligible to pay a levy rate of 1.5% (those with an RV below £12k will not pay). This will generate c £235k per year - amounting to £1.18m business-led investment over the five-year term 2022-2027.
- 2.26 The council are a key land holder on Cressex Business Park, but this is covered by long ground leases to 2048 (with sublets). The Council will only be liable for a levy if a property is not let as at the 1 October 2022. At present the Property Team are in the process of letting two small units on Lincoln Park and have advised that tenancies will be in place by ballot time in June. Should this not be possible by October, a sum of the order of £400 would be required for the levy.
- 2.27 The Steering Group have chosen to adopt a managing authority operational model, as in place for Globe Business Park BID, with Groundwork South appointed to manage the BID with the current businesses on the steering group becoming the BID Board. A local Member and a Buckinghamshire Council Officer will be co-opted to the Board, given our land interest on Cressex and the unlikelihood of us being a levy payer as set out in 2.27.
- 2.28 If the BID is not successful at ballot, the business park will not be able to achieve its ambitions to improve the look and feel of the trading environment to help attract wider investment at the level of place that will help it evolve post Covid.
- 2.29 Given the economic importance of both High Wycombe town centre and Cressex Business Park it is recommended that the Council support both the High Wycombe and Cressex Business Park BIDs, and put delegated authorities in place as set out in

the recommendations to help to streamline the process of renewal and ensure that the new BIDs can be in place by 1 October 2022 if the ballots are successful.

### **3. Other options considered**

- 3.1 Ballot: To carry out the ballot in house. This option was discounted as it a recognised best practice amongst councils to use a third party for BID ballots to clearly demonstrate independence from the process.
- 3.2 To not support the BIDs at ballot: As a levy payer, the Council could choose to vote no at ballot. The impact on High Wycombe town centre not securing a third term and failure to create a new BID on Cressex Business Park would detrimentally impact both trading areas significantly – creating a loss of c£1.2m business led-investment to each over five years. The reputation of the Council as a facilitator and champion to support local economic growth would also be negatively impacted.

### **4. Legal and financial implications**

- 4.1 BID Ballot Process: The cost of appointing Civica to carry out the ballot can be met within existing budget allocations.
- 4.2 BID billing and collection: HWBIDCo currently pays £8,000 a year to the Revenues Team for billing. This will be reviewed as part of the Operating Agreement work should a yes vote be secured. Costs for setting up a new billing and collection arrangement for Cressex Business Park have been factored into the project budget. This includes coverage of additional software licences and also a contribution to additional staff time in the service.
- 4.3 Levy Costs: The Council will incur the levy charge for both operational assets and any development properties that it currently pays business rates for within both proposed BID areas from the 1 October 2022. HWBIDCo has been established since October 2012 and both legacy Buckinghamshire County Council and Wycombe District Council will have had processes in place to build in the cost of levy payments into existing budget setting and medium term financial plans accordingly. This approach has continued for Buckinghamshire Council.
- 4.4 In the case of Cressex Business Park, although the Council is a key land holder, the assets are covered by long ground leases to 2048 (with sublets). Exposure to levy payment would only come into play should an asset become vacant.
- 4.5 Legal Implications: 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”). Information relating to the Council’s responsibility for this can be found in **Appendix A**.

## **5. Corporate implications**

- 5.1 The activity delivered by a BID provides support to businesses and their local trading environment that compliments the ‘increasing prosperity’ priority in the Council’s Corporate Plan.
- a) Property – as set out in 4.3 and 4.4 above.
  - b) HR - not applicable to this report
  - c) Climate change - not applicable to this report
  - d) Sustainability - not applicable to this report
  - e) Equality (does this decision require an equality impact assessment) - not applicable to this report
  - f) Data (does this decision require a data protection impact assessment) - not applicable to this report
  - g) Value for money – a BID collects a levy payment that is ring fenced for ‘additionality’ improvements within the geography that it operates in. The resulting improvements to trading areas impact perception and boost the appeal of place, making it a more desirable place to do business in.

## **6. Local councillors & community boards consultation & views**

- 6.1 Cllr Lesley Clarke OBE and Cllr Tony Green are the Council’s appointed Members to the HWBIDCo Board of Directors and are supportive of the approach being taken by HWBIDCo in their new term preparations.
- 6.2 All Abbey Ward Members have been advised of the ballot work programmed for HWBIDCo and Cressex Business Park and given the opportunity to provide feedback.
- 6.3 Presentations on HWBIDCo and Cressex Business Park BID proposals were made at High Wycombe Town Committee on the 8 March 2022 and to the Economic Recovery and Regeneration Sub Group of the High Wycombe Community Board on the 15 March 2022. Both groups were fully supportive of the activity and the benefits brought to the trading environment and businesses within the designated BID areas.

## **7. Communication, engagement & further consultation**

- 7.1 Both HWBIDCo and the Cressex BID Steering Group will be running a ‘Vote Yes’ campaigns ahead of ballot.

## **8. Next steps and review**

- 8.1 The Economic Development Manager to liaise with Civica and the proposers to ensure that the Returning Officer is ready to make the 42 Day Notice releases as set out in **Appendix A**;
- 8.2 Baseline service information and operating agreements for billing and collection arrangements to be developed and finalised on receipt of 'yes' vote in July to ensure first bills are issued on the 1 October 2022.

## **9. Background papers**

- 9.1 Business Improvement District legislation can be viewed [here](#)
- 9.2 The BID proposals from HWBIDCo and Cressex Business Park will be submitted to the Council by the end of week commencing 16 May 2022 and will be available to view on their respective websites.

## **10. Your questions and views (for key decisions)**

- 10.1 If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider please inform the democratic services team. This can be done by telephone 01296 382343 or email [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk)

