



## Response to Request for Information

Reference      FOI 001423  
Date            14 August 2017

### ***Bilston BID Full Business Plan and Accounts***

#### **Request:**

I am requesting a full copy of the Bilston BID Business Plan (Not the summary) and full, detailed accounts from start to the end of the first year as per The BID criteria from 2015 and 2017 to allow those in the BID area to view these annually.

In response to your request for the Bilston BID Business Plan, please find attached.

In response to your request for detailed accounts, we can confirm that following reasonable enquiries, it has been established that the Council does not hold the above requested information.

Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1(1) (a) of the Freedom of Information Act 2000 ("The Act"), that states:

*"Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request".*

To advise and assist you under Section 16 of the FOIA, further information can be found via the following link:

<https://beta.companieshouse.gov.uk/company/09369770/filing-history>

The month long postal ballot starts  
**18 June** and ends **16 July, 2015.**  
**Vote YES** for a Bilston Business  
Improvement District -  
**£500,000 over five years**



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## CONTACT

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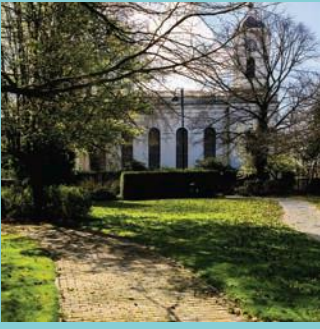
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**[BILSTONBID.CO.UK](http://BILSTONBID.CO.UK)**

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**BILSTON**  
Business Improvement District



Investing in Bilston... **together**

BILSTON BID BUSINESS PLAN 2015



# Investing in Bilston... *together*

BILSTON BID BUSINESS PLAN 2015

## Contents

Exciting times...	4
Your BID for Bilston Town Centre	5
A message from the Task Group	6
BIDs explained	8
Frequently asked questions	9
The BID area	10
Having your say	11
Bilston BID projects	12
Your contribution	16
BID budget	17
BID rules explained	19
Vote YES!	22
Your BID team	23
Important dates	24



**BILSTON**  
Business Improvement District



## Exciting times...

Bilston is a great market town with a huge amount to offer. Rich in history and heritage with excellent transport links, Bilston town centre boasts a healthy mix of national retailers and a wide range of smaller independents, over half of which have been in the town for 40 years or more. The pubs, restaurants and music venues, which include the nationally recognised and award winning Trumpet and Robin 2 Club, provide something for everyone to enjoy.



Bilston's indoor and outdoor markets continue to attract visitors from far and wide and have a strong local loyalty. Only last year, customers, traders and staff at Bilston market celebrated being crowned Britain's Best Large Outdoor Market. The popular market in Bilston town centre beat off competition from across the UK to win the accolade. Judges highlighted the "vibrancy and buzzing atmosphere" of Bilston market as the reason it scooped the prize.

We cannot take this for granted. Many businesses in the town have been affected by the challenging economic climate. Neighbouring towns and cities and out-of-town office and retail parks such as Merry Hill and Bentley Bridge present customers with alternative places to visit and shop and continue to attract new business. Bilston competes with many other destinations that are actively seeking to attract more visitors and customers, increase spend and relaxation time, present an enjoyable, professional work environment and fill empty units in their streets.

Bilston town centre now has an opportunity to celebrate and build upon its unique position as a traditional market town in a time of major investment and development. The Bilston Urban Village alone promises significant new opportunities for both existing and new businesses. The Bilston BID will equip local businesses with the infrastructure and resources to fully capitalise on almost £20 million planned investment.

A Business Improvement District (BID) will achieve Bilston's full potential. This business plan sets out how a BID for Bilston would operate and what we could achieve through it.

This is our opportunity to shape Bilston's future together.



# Your BID for Bilston town centre

A BID is formed when businesses from a defined area elect to make a collective contribution to the development and improvement of their commercial district. It is for a defined period of time. The funds from this contribution are used solely to deliver the plans set out in this business plan. BIDs are financed and controlled by the businesses within the BID area. The BID only delivers projects, services and improvements that are in addition to local authority services. The BID projects and services NEVER replace those statutory services provided by public agencies.

## Your opportunity

This is your chance to invest over £500,000 into Bilston town centre over the next five years.

## Your projects

The BID will be dedicated to delivering projects, programmes and services to businesses in Bilston town centre. You have told us you would like the BID to focus on the following key priorities:

### ■ Town centre safety and security: £45,000 per year

- Making Bilston town centre a welcoming and safe place to shop, visit, and work and live
- Implementing a monitored CCTV scheme that works hand-in-hand with a team of town ambassadors and the town centre radio link.

### ■ Backing local businesses: £15,000 per year

Supporting businesses, driving down your day-to-day business costs and providing you with data and assistance to help increase trade.

### ■ Marketing, promotions and events: £40,000 per year

Professional and well planned marketing campaigns highlighting the Bilston offer, boosting footfall and a dedicated website with joined up incentives and discounts for everyone to enjoy.

## The BID Company

The BID will be run as an independent, not-for-profit company known as Bilston Business Improvement District Ltd. It will be controlled through a Board of Directors that represent businesses and stakeholders in the town. A full time BID manager will deliver the business plan.

## Your investment

The Bilston BID will be funded by a levy on the rateable value of each hereditament within the defined BID area. The levy will raise over £130,000 each year to be spent exclusively on projects and associated resources to support the Bilston BID. The BID will also generate additional funding through voluntary contributions, grants and sponsorships. Please see page 16 to see how the levy band works and what your contribution is likely to be.

## Your decision

This is a democratic process. By casting your vote in the ballot, you decide whether the Bilston BID will go ahead.

## Your vote

A ballot paper will be sent to you on 18 June, 2015 and you will have until the 16 July, 2015 to cast your vote.



# A message from the Task Group

**We are delighted to introduce this Business Plan for the Bilston Business Improvement District. We are proud to be part of the consultation and development of the plan. As local businesses we feel that Bilston is at a pivotal point. Whether we are discussing increasing marketing, bringing in new business or footfall numbers, there is a feeling the town is in need of change and the BID is the vehicle to do so.**

We believe that we have built a strong team of people representing both the public and private sector, with a wealth of experience in supporting businesses in this town. We have developed a business plan for the next five years through an extensive process of consultation using surveys, business meetings and face-to-face discussions. We have tried to assess the needs of all businesses in Bilston to ensure we help people across all business sectors benefit from the investment programme we have planned.

Your money will only be used to ensure “added value” in those areas identified as vital. This will allow us to continue to have an important part to play, ensuring that we are ready to face the challenges posed in retaining and improving the trading environment in light of increased competition from nearby town and city centres.

As Bilston businesses, we are committed to helping to achieve our full potential as a market town. We now have the opportunity to act collectively in order to attract new ideas and investment and enhance business profitability. We strongly urge you to carefully consider this Business Plan and ensure that you vote YES.

The Bilston BID is the best chance we have to make sure we give the business community the opportunity to succeed. Now is the time to act collectively and vote YES to a BID in Bilston and start delivering all the projects such as CCTV, events, marketing, environmental improvements we have wished for. At the same time, becoming a BID company will stand us in good stead for the next five years.

Join us and vote YES for the Bilston Business Improvement District!



# BIDs explained

**A BID is a local, democratically elected organisation that focuses on delivering specific improvements needed by local businesses in a defined area. BIDs invest in and deliver projects to improve the local trading environment, drive down business costs and raise the area's profile. BIDs are led and controlled by businesses. They are independent, not-for-profit organisations with ring-fenced resources and finances.**

The projects are funded by raising finance, principally, through a levy. This levy is an investment by businesses.

BIDs operate for five years. Throughout the term they are accountable to their levy-paying businesses and must demonstrate how they make a difference. After five years, a re-ballot must be held to enable the BID to continue.

In order for a BID to be established, a ballot of all eligible businesses in the BID area is held. For the ballot to be successful, two conditions must be met:

- 1 More than 50 per cent of businesses who vote must vote in favour of the BID
- 2 Of the businesses that do vote, those in favour must represent more than 50 per cent of the total rateable value of all votes cast.

If both these conditions are met, the BID will be established. The BID levy will be mandatory for all liable businesses in the BID area regardless of whether they chose to vote. If the BID is established, it will not be possible for a business to 'opt out'.

BIDs offer businesses an opportunity to identify priorities and invest in projects and services that benefit them, their customers, clients, visitors and employees. The BID Company monitors results and performance.

BIDs are lean organisations, designed to be flexible and agile to respond to local circumstances and areas of priority, as well as carry the credibility and resources to get things done in a cost-effective and efficient way.

There are more than 180 BIDs operating all over the UK, including Wolverhampton, Birmingham, Shrewsbury and Rugby. Businesses within Business Improvement Districts boast increases in footfall and trading figures, more inward investment and better communication between business and local government. After their first term, nine out of 10 BIDs continue after a re-ballot with a higher turnout and a stronger mandate.

This demonstrates the power of BIDs and how they are regarded by the businesses that fund them.



# Frequently asked questions

## **Am I eligible to vote?**

All businesses within the designated Bilston BID area are eligible to vote. No business is excluded from the process.

## **How will I know if the BID is delivering on its promises?**

The BID will focus its resources on delivering the objectives outlined in this business plan. It will communicate its activity throughout the five-year term and report on a variety of performance indicators. The business plan is binding and any proposed significant changes would require another ballot.

## **Is this a way for the Council to save money?**

No. The Bilston BID is an independent, private, not-for-profit company. The BID will be formed for and monitored by the levy-paying businesses and will operate solely to deliver projects they need. All projects and services delivered by the BID will be new, or in addition to, Wolverhampton City Council services. Legally, a BID can only deliver over and above existing services and part of the BID's role will be to make sure local public agencies are delivering against these statements.

Statements have been established for:

- Car parking and enforcement
- Highway maintenance
- Street lighting and furniture
- Christmas lights
- Seasonal floral decorations, parks and recreational spaces
- Tourism, museums and visitor centres
- Police
- Public conveniences
- Markets

## **Isn't this what my business rates already pay for?**

No. Business rates are a national tax that are set by central Government, collected by the Council, passed on to central Government and then redistributed back to councils. Businesses have little say in how that money is distributed or spent. The BID levy is calculated by reference to the rateable value of the business unit and the funds will be kept in a separate bank account to be invested within the BID area. The Local Authority will also pay a BID levy as a property owner in the BID area.

## **Isn't this a bad time to be increasing businesses' outgoings?**

Actually this is a great time to be investing in Bilston and striving to ensure our town fulfils its potential. BIDs aim to drive footfall to the town, increase sales and improve the trading environment. BIDs also provide the opportunity for businesses to work together to find cost savings such as trade waste collection, utilities and insurance.

# The Bilston BID area

The £500,000 BID fund will only be spent on projects to benefit the businesses within this area, in-line with statutory regulations. If you are unsure whether your business falls within the BID boundary, please get in touch with a member of the BID team.

## Streets included within the BID area:

- |                                 |                    |                   |                   |
|---------------------------------|--------------------|-------------------|-------------------|
| ■ Black Country Route           | ■ Coseley Road     | ■ Market Street   | ■ Railway Street  |
| ■ Bankfield Road                | ■ Fleet Street     | ■ Market Way      | ■ Smith Street    |
| ■ Batchcroft                    | ■ Fraser Street    | ■ Mill Croft      | ■ Stafford Street |
| ■ Bath Street                   | ■ Greencroft       | ■ Mount Pleasant  | ■ Stonefield Walk |
| ■ Bilston Bus Station           | ■ Hall Street      | ■ Mountford Lane  | ■ Stonefield Road |
| ■ Bilston Central Metro Station | ■ Hartshorn Street | ■ Nettlefolds Way | ■ The Orchard     |
| ■ Bow Street                    | ■ High Street      | ■ Oxford Street   | ■ Thompson Street |
| ■ Caledonia Street              | ■ Homers Fold      | ■ Pinfold Street  | ■ Walsall Street  |
| ■ Church Street                 | ■ Lichfield Street | ■ Pipes Meadow    | ■ Wellington Road |
|                                 | ■ Linton Croft     | ■ Prosser Street  | ■ Wood Street     |





# Having your say

Since September 2014, the BID team has undertaken a range of consultation and listened to your views on a BID for Bilston. The consultation process has included:

- Launch of the BID consultation stage at the Robin 2 Club
- Recruitment of the Bilston BID Task Group
- Distribution of the BID factsheet and newsletter to all businesses via post and in person
- Over 60 face-to-face surveys and interviews undertaken with independent businesses
- On-line business survey
- Business priority surveys
- Business sector workshops
- Regular Task Group meetings
- Launch of the BID website
- Consolidation of consultation and circulation of the Bilston BID Summary Business Plan to all businesses
- Follow-up meetings and presentations on the BID objectives and proposed projects.

Throughout this consultation process, we have consistently communicated with businesses via face-to-face meetings, telephone calls and written correspondence. The development of this business plan for the Bilston BID, has been shaped by individuals and group meetings with town businesses, public agencies and stakeholders at local and national headquarters.

As a result of this engagement, businesses have had their say and you have told us what you want for Bilston town centre.

# Bilston BID projects

After months of consultation, these are the projects you want to see delivered. To make these projects a reality, vote YES to a Business Improvement District. This will generate over £500,000 over five years to fund these exciting initiatives.

- 1 Town centre safety and security**
- 2 Image, promotion, marketing and events**
- 3 Backing businesses**





# **Town centre safety and security**

**£225,000 (over five years)**

A monitored CCTV scheme that will position cameras in the most opportune and effective areas of the town and will be monitored locally to work hand-in-hand with the town centre radio link scheme which will also undergo an upgrade.

## **Introduction of Community Ambassadors**

A full time dedicated team of Community Ambassadors to welcome people to Bilston from the metro and bus stations and be a positive, friendly presence in the town centre. These Community Ambassadors will primarily be information points for visitors, trained by the BID Company to ensure they are knowledgeable and passionate about Bilston and aware of what is going on in the town centre. They will also work as a quick response unit to problems which may arise such as graffiti and shoplifting, to enhance communication between the police and businesses and create a sense of community.

## **Online exclusion schemes**

We will work closely with West Midlands Police to reduce shoplifting and anti-social behaviour in the town centre through utilising exclusion schemes providing secure intelligence sharing for all BID businesses who wish to be part of the scheme.

## **Looking better**

The BID will explore options to ensure the town centre looks the best it can at all times, working to reduce the time trade waste is on our pavements and that the town is as clean as it can be, keeping your valued customers coming back time and time again.



# **2** *Image, promotion, marketing and events*

***£200,000 (over five years)***

## **The Bilston brand**

The BID will create an instantly recognisable Bilston town centre brand, to be used in all BID projects and services. This branding will portray the culture, heritage, leisure and commercial prospects that Bilston has to offer. This will then enable us to plan strategic marketing campaigns that can be delivered consistently over five years. The BID will build momentum and presence by making the best use of TV, radio, print and online resources to get our message to customers both within and outside of the BID area, helping to boost trade and activity during the day and night and all year round.

## **Internet and social media**

The BID will deliver a comprehensive website containing information on events, offers and news with business directories that can be edited and updated by each business as they wish. You have told us that it is key to your business that customers receive relevant and up to date information. The BID will work to expand and invest in Bilston's online presence.

## **Investor marketing**

In addition to the consumer marketing that will help to bring in customers, the BID will also promote Bilston to potential investors as a business location. This includes work with both retail and commercial uses that complement our existing offer, through the provision of resources that help to make the case for why Bilston is a good place to do business. We will also encourage creative entrepreneurship and investment, supporting a strong economic future for the next generation.

## **Improving current events and markets**

As advised by you, the BID will pump more funding into current events and markets so that they become bigger and better. The BID will also sponsor and become part of current successful events to offer something really special to people visiting the town centre.

## **Keeping spend local**

A voucher system will publicise offers and give added value to customers or local employees spending in Bilston town centre. Many of you already offer vouchers or discount codes – why not get them all in one place to keep costs down, keep people spending money in Bilston and promote what our town has to offer?

## **Better signage and maps**

Signage and information impacts how visitors navigate and use a town. Providing quality, up-to-date signage is central to getting people to their location and helping them explore what's on offer. Consistent and useful signage will be introduced to make access both to and around the town centre easier, specifically to and from the Metro and bus station. This has been highlighted as a high priority for businesses.



# **Backing businesses**

**£75,000 (over five years)**

## **Saving you money**

The BID can help save your business money through negotiating with trade waste and recycling providers to drive down costs of these contracts, ensuring you do not see any reduction in the high standard of service, saving you time and money.

## **Business rates**

We know that business rates are a considerable burden on many businesses in town. BIDs in Rugby and Ealing have recently lobbied for between 10-30 per cent reduction in business rates for their BID members through targeted information gathering, employment of property advisors and working with the VOA. Bilston BID will look to do the same for Bilston businesses.

## **Working for you**

The BID will act as an influential lobbying group, working on behalf of the town centre businesses to ensure that your views are heard and represented at the highest level before all relevant agencies. This will be your BID, and it will work in your best interest where you need it. In addition, the BID will always try and use local suppliers wherever possible so we do our bit to support our town.

## **Information awareness**

Awareness of data about your local trading environment can be instrumental for the running of successful businesses. The BID will publish regular business environment updates which will contain information on town centre footfall, car parking, new businesses openings and town performance to help you monitor your performance.

## **Supporting new business**

The BID will work in conjunction with different agencies and the local authority to support new business coming into the town. This will be achieved through initiatives such as grants and loan schemes to help attract new retail, food and drink and commercial business, as well as supporting existing businesses that help to improve the image of Bilston.

## **Connecting you**

The BID will position itself as a source of information and a key contact to link you with the right people or organisations that can assist you. We will proactively provide regular communication and updates on key events in the town, so that businesses can plan ahead, inform staff and tell customers.

# Your contribution

Bilston BID will be financed through an additional, annual levy according to the banding structure below, based on the rateable value of your business.

The projected levy income for projects in year one only is £100,000. A five-year term will therefore result in an investment of over £500,000 of projects you want. The following chart demonstrates the approximate BID levy businesses will pay:

The levy is an investment. In return for your investment your business benefits from additional projects and services. The BID company will be accountable for every £1 it receives or generates.

Rateable value	Maximum annual levy	Maximum daily equivalent
£400,000 +	£15,000	£41
£200,001 - £400,000	£10,000	£27
£100,001 - £200,000	£5,000	£14
£70,001 - £100,000	£3,000	£8
£40,001 - £70,000	£1,500	£4
£20,001 - £40,000	£750	£2
£10,001 - £20,000	£350	96p
£0 - £10,000	£250	68p

# BID budget

## Bilston BID income and expenditure 2015-2020

	2015/16	2016/17	2017/18	2018/19	2019/20	5 year totals
<b>Income</b>						
BID Levy	£151,700	£151,700	£151,700	£151,700	£151,700	£758,500
Additional Income	£10,000	£10,000	£10,000	£10,000	£10,000	£50,000
<b>Total Income</b>	<b>£161,700</b>	<b>£161,700</b>	<b>£161,700</b>	<b>£161,700</b>	<b>£161,700</b>	<b>£808,500</b>
<b>Expenditure</b>						
<b>Projects and services</b>						
Image, promotion, marketing and events	£40,000	£40,000	£40,000	£40,000	£40,000	£200,000
Town centre security	£45,000	£45,000	£45,000	£45,000	£45,000	£225,000
Backing business	£25,000	£25,000	£25,000	£25,000	£25,000	£125,000
Staff	£35,000	£35,000	£35,000	£35,000	£35,000	£175,000
Training	£500	£500	£500	£500	£500	£2,500
Office and IT support	£5,000	£5,000	£5,000	£5,000	£5,000	£25,000
Insurance	£1,000	£1,000	£1,000	£1,000	£1,000	£5,000
Levy collection costs	£4,000	£4,000	£4,000	£4,000	£4,000	£20,000
Professional fees	£1,000	£1,000	£1,000	£1,000	£1,000	£5,000
Bank charges	£200	£200	£200	£200	£200	£1,000
Contingency	£5,000	£5,000	£5,000	£5,000	£5,000	£25,000
<b>Total expenditure</b>	<b>£161,700</b>	<b>£161,700</b>	<b>£161,700</b>	<b>£161,700</b>	<b>£161,700</b>	<b>£808,500</b>
Surplus/Deficit	0	0	0	0	0	



# BID rules explained

**The BID legislation regulates BID ballots and the framework under which BIDs must operate. Key points are outlined below.**

## **BID creation and the BID ballot**

- Each business ratepayer that would be liable for the BID levy will have one vote for each of their eligible properties, provided they are listed on the National Non-Domestic Rates list as provided by Wolverhampton City Council
- None of the costs incurred through the development of the BID and before the formal ballot will be paid for by the BID levy

## **The BID levy and who contributes**

- The BID levy rate will be fixed for the full term of the BID (five years) and will not be subject to inflation or alterations
- The BID levy will be applied to all businesses within the defined Bilston BID area, with a rateable value provided they are listed on the National Non-Domestic rates list at the beginning of each financial year
- Non-retail charities with no trading income, arm or facilities, not-for-profit subscription and volunteer-based organisations will be exempt from paying the BID levy
- New businesses will be charged from the point of occupation based upon the rateable value at the time they enter the rating list
- If a business ratepayer occupies the premises for less than one year, the levy paid will be on a daily basis. Vacant properties, or those undergoing refurbishment or being demolished, will be liable to pay the BID levy by the property owner or registered business rate payer.
- The BID levy will not be affected by the small business rate relief scheme, service charges paid to landlords, exemption relief or discount periods in the Non-Domestic Rate Regulations 1989 made under the Local Government Finance Act 1988
- VAT will not be charged on the BID levy

## **BID operations and management**

- Wolverhampton City Council is the only body authorised to collect the BID levy on behalf of the BID Company
- Collection and enforcement regulations will be in-line with those applied to non-domestic business rates, with the BID Board of Directors responsible for any debt write-off
- The BID funding will be kept in a separate BID account and transferred to the BID Company. BID projects, costs and time-scales may be altered by the BID Board of Directors, provided they remain in line with the overall BID objectives.
- The BID Board of Directors will meet at least six times a year. Every levy paying business will be eligible to be a member of the BID Company and to vote at annual general meetings.
- The BID Company will produce a set of annual accounts made available to all company members
- BID staff will be appointed and work with the appropriate agencies to deliver the programme of projects
- The BID will last five years. At the end of the five years, a ballot must be held if businesses wish the BID to continue

## BID governance and management

A new independent, non-for-profit company limited by guarantee will be established to govern the BID and will be known as Bilston Business Improvement District Limited. This organisation will have a Board of Directors, directly accountable to BID levy payers for:

- Effective delivery of the projects and services as set out in the BID Business Plan
- Upholding and promoting the BID's vision and objectives

The Board will serve voluntarily and will be composed to reflect the make-up of the town's businesses and organisations. Bilston BID will have the following board composition:

<i>Type of representative</i>	<i>Number</i>
Independent retail	3
National retail	2
Entertainment, hospitality and leisure	2
Public sector	2
Commercial and office	2
Pubs, bars and clubs	2
Property	1
Education, health and third sector	1
Wolverhampton City Council	1

To ensure continuity, levy paying members of the BID task group will serve as the Bilston BID Board in year one and thereafter an annual election will be held where any levy paying business will be eligible to stand for BID Board Director. There will also be three places for co-opted board members to ensure 'joined-up working'.

As a levy payer, you will have a stake in the BID Company. You will control what the BID funds are spent on and you can hold the BID Company accountable throughout the term. The BID Company will not be able to make a profit. Any surplus must be spent on projects and services agreed by you and the Board of Directors.

The BID will also employ a dedicated, full-time manager to ensure the projects outlined in this business plan are delivered effectively and efficiently. The BID manager will be responsible for:

- Communication between levy payers and the Board
- Delivery and management of the BID Business Plan
- Seeking additional financial contributions towards the BID Company

## Measuring BID performance

The Bilston BID will need to show it is delivering against its objectives and for your business. The Board will set the key performance indicators (KPI's) and criteria upon which to measure the BID's performance. Examples of the criteria the BID will use include:

### Town performance data

- Footfall figures
- Occupancy rates
- Car parking
- New business activity

### Annual surveys

- Business feedback
- Consumer feedback

### Value-for-money and town profile measurements

- Media coverage
- Website and social media visits and interaction
- Service take up rates and cost saving initiatives calculated

These activities will be carried out at appropriately regular intervals and will be reported back to you via:

- Direct communications (for example: e-bulletins, letters and face-to-face meetings)
- Group forums and briefings
- Annual meetings
- Annual reports

### How Business Improvement Districts are making real changes

Many BIDs now in operation around the UK have demonstrated the diverse benefits you can expect to see if you vote 'yes' to a BID in Bilston and we will work to achieve the same results. These benefits include:

- Increase in footfall throughout the year
- Initiatives to reduce business costs
- Professional, planned and sustained up-to-date marketing and promotion
- A strong, business-led voice to get things done and solve problems
- A better managed town centre, day and night, with more communications and more information shared amongst businesses





# Vote yes!

Throughout the last few months, every business has had the opportunity to tell us what **really matters** to them and communicate their **vision for Bilston**. We believe that this business plan reflects these aspirations and offers **value-for-money**.

BIDs have a proven track record of **improving towns** and **putting control into the hands of businesses**. This is a **unique opportunity** to invest in Bilston and your business.

Bilston is a great place to live, shop and relax. By investing a relatively small amount individually, collectively we create an even **brighter future** for Bilston and for its businesses.

With over **£300 million** being generated via **more than 180 UK BIDs**, now is the perfect time to vote **yes** for the Bilston BID to ensure **great results for our town**.



# Your Bilston BID team

**To discuss any aspect of this proposal, please contact:**

Cheryl Welsh, BID Manager

## **The Bilston BID Task Group**

Mo Aswat – Project Director: The Mosaic Partnership

Cheryl Welsh: BID Manager

Laura Walker – Project Assistant: The Mosaic Partnership

Carl Brown: CeX

Raj Randhawa: Bilston Motor Spares

Ruth Skitt: Café Metro

Oliver Jeavons: Jennings Funeral Directors

Jon Tolley: Wetherspoons

Mike Hamblett : The Robin 2 Club

James Bennett: Coffee Express and Grill

Mark Henderson: Wolverhampton Homes

Kelley Dyas Dip SCM: Workman Facilities Management Limited

Simon Lucas: Wolverhampton City Council

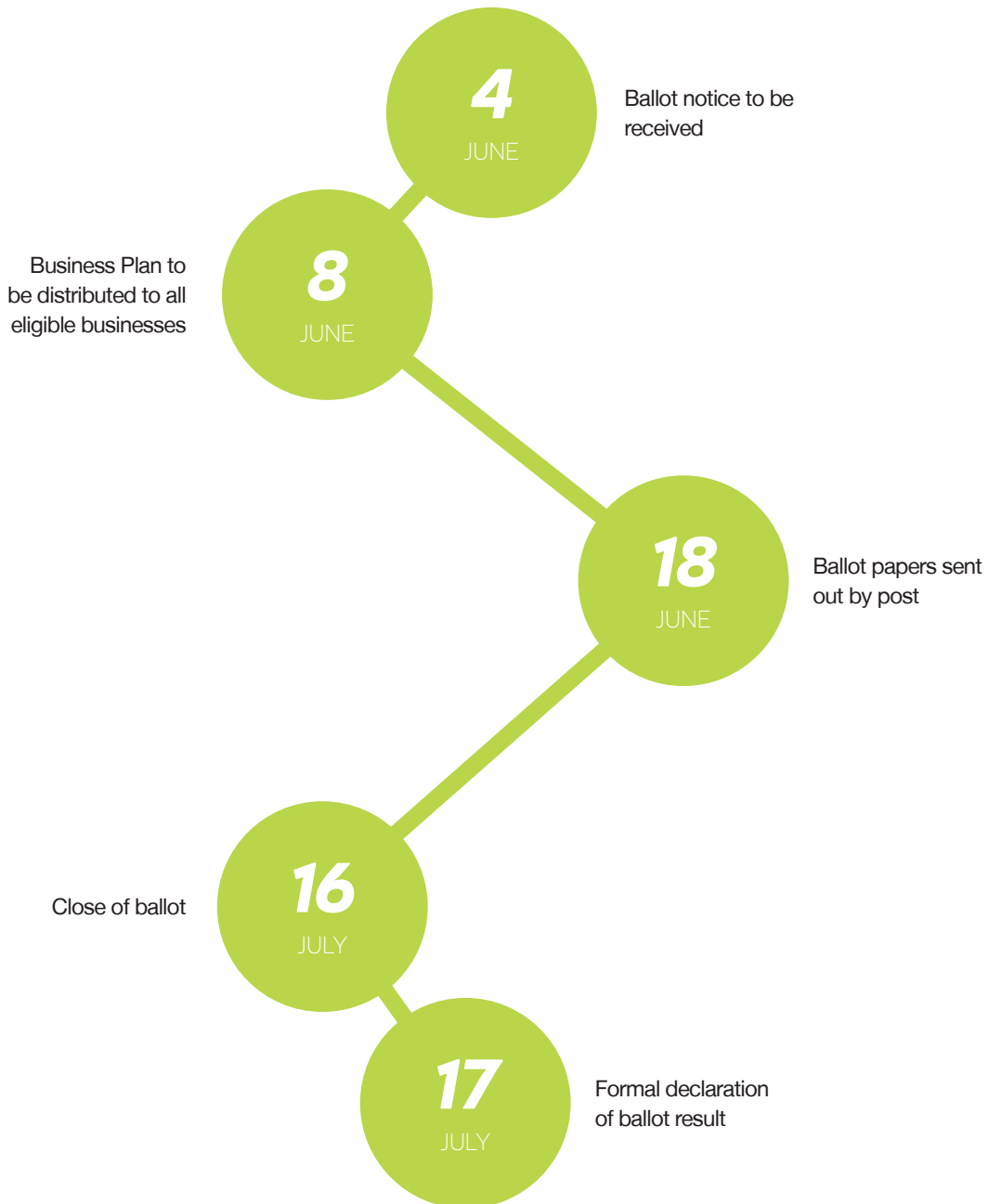
***[bilstonbid.co.uk](http://bilstonbid.co.uk)***



**BILSTON**  
Business Improvement District



# Important dates



The BID ballot will take place from **18 June, 2015** and you will have until **5pm on 16 July, 2015** to vote. The formal declaration of the vote will be **16 July, 2015**.

The ballot will be carried out independently, via the Electoral Reform Services. Businesses occupying more than one eligible hereditament will be sent one ballot paper per hereditament. If you receive multiple ballot papers, please complete all of them. Don't waste your votes.

The ballot will be carried out via post. Voting by proxy is available. Full details will be sent out with the ballot notice.

## **GUIDANCE ON THE BUSINESS IMPROVEMENT DISTRICTS (ENGLAND) REGULATIONS 2004**

### **Intention**

**The purpose of this guidance is to explain the intention behind the legislative framework of BIDs and to advise the reader on issues which may arise in the development and implementation of a BID scheme. Definitive interpretation of legislation is a matter for the courts to decide and this guidance should not be interpreted as anything other than guidance.**

**The Business Improvement Districts (England) Regulations 2004 prescribe the basic requirements which must be met in order for the BID to meet its statutory duty. The Regulations are available from the HMSO and cost £6.00.**

**Regulation 1** - gives the definition of the various terms used in the Regulations, for example the meaning of 'BID proposer' and 'BID body'.

**Regulation 2** - provides for the billing authority to supply information from its non-domestic rate records to persons developing BID proposals.

- Authorities will be able to provide details of names and addresses of the non-domestic ratepayers and the rateable values of the hereditaments located in the area covered by the BID proposals.
- Authorities may charge for supplying this information.

The intention behind Regulation 2 is to enable BID Proposers to develop a BID scheme through canvassing opinion from the business community. As part of this development we would strongly encourage Billing Authorities, BID Proposers and the Ballot Holder to work together in making sure that the local rating list is up to date, and that any proxy voting rights are in place. An up to date list will help make sure that the right person in the company receives the ballot paper in plenty of time.

**Regulation 3** - specifies the persons who may draw up BID proposals:

- A billing authority
- A non-domestic ratepayer
- A person with an interest in land within a proposed BID area
- Members of a body which has, amongst its aims, the intention to manage a Business Improvement District.

A BID Proposer is statutorily required to notify, in writing, the Secretary of State and the relevant Billing Authority of their intention of asking the Billing Authority to put the BID Proposal to the ballot. This notice is required 12

weeks prior to the BID Proposer submitting proposals to the billing authority for balloting.

The address to which the notice should be sent in regards the Secretary of State is:

Secretary of State  
Office of the Deputy Prime Minister  
5/H2 Eland House  
Bressenden Place  
London  
SW1E 5DU

Each BID will emerge from the unique circumstances in the area and this Regulation allows a wide number of interested groups to take the lead in developing a proposal. It is fundamental to the success of a BID that it has support from all interested parties. This means an open and constructive dialogue between the local authority and the business community in creating a solid and committed partnership. This will increase the chances of a successful BID.

ODPM will include a list of potential BIDs on its website. The information held will be based on the information received under the statutory requirements of the legislation.

**Regulation 4 and Schedule 1** - set out the matters that should be included in a BID proposal.

Where BID proposers decide to seek approval of BID proposals in a BID ballot, under this Regulation they must send to the billing authority:

- a copy of the BID proposals;
- a summary of the consultation it has undertaken;
- a summary of the proposed business plan;
- a summary of the financial arrangements for the BID body.

The BID proposer also needs to satisfy the Billing Authority that he/she has sufficient funds to pay the costs of the ballot, if required to do so under Regulation 10.

Under this Regulation, anyone liable for the proposed BID levy is entitled to receive a copy of the BID proposals and the proposed business plan, if they ask for a copy.

If a billing authority considers that a proposed BID proposal conflicts with their formally published policies, the authority must notify the BID proposer or the BID body in writing, explaining the nature of the conflict.

BID proposals must include information on:

- the works or services to be provided, the name of the provider and the type of body it is;
- the existing baseline services;
- the geographical area to be covered by the BID arrangements;
- the non-domestic ratepayers to be liable for the BID levy (i.e. whether all business or specified classes of business), how the levy will be calculated, and whether costs incurred in developing the BID proposals, holding the ballot, or implementing the BID are to be recovered through the levy;
- the ratepayers who will benefit from relief from the levy and the level of that relief;
- whether the BID arrangements may be altered without an alteration ballot and, if so, which aspects may be so altered;
- the duration of the BID arrangements and when they will start.

Similar requirements are specified where BID arrangements are to be altered.

The BID Proposal is fundamental to the success of a BID. When putting together a plan it is important that the BID proposer takes account of the statutory requirements that need to be included in any proposal. It is recommended that the Proposer involve the local authority at an early stage in the development of the proposals. This will ensure that any concerns the Authority may have are addressed early on instead of occurring at a later stage.

Non-domestic ratepayers must have a clear understanding of the proposed scheme in order to be able to vote accordingly. An underdeveloped proposal is likely to be unsuccessful at ballot.

A proposal that has not been fully developed may cause problems once the BID arrangements are under way.

**Regulation 5** - requires the billing authority to instruct the ballot holder (the returning officer for local elections in the area) to hold a ballot:

- when it receives a BID Proposal that complies with Regulation 4
- when an alteration ballot is necessary
- if instructed by the Secretary of State under regulation 9 (declaring a ballot void).

This regulation clearly states that the billing authority has to be content that the proposals cover the issues laid down in Regulation 4 and therefore Schedule 1 (see below).

If a Billing Authority has been involved during the early stages of the BID development then the instruction to go to ballot should occur soon after the

notice given under regulation 4. In such circumstances an instruction could probably be given within a week of receiving the notice.

**Regulation 6** - provides that the local authority returning officer is "the ballot holder".

This person is also often the Chief Executive. The ballot holder will be familiar with the management of local elections but BIDs will be a new area for ballot holders.

The ballot holder may delegate this duty to one or more persons.

**Regulation 7 and Schedule 2** - requires the ballot holder to carry out the BID ballot and sets out the instructions that must be followed.

The ballot process provides sufficient time for a ratepayer to consider a proposal. Many ratepayers will need to gain approval from their head office, discuss it with their board or consult with interested groups and therefore the regulations allow a period of time for this to happen.

The timetable is as follows.

- The billing authority instructs the ballot holder to hold a ballot, renewal ballot, a alteration ballot, or re-ballot.
- The ballot holder publishes notice of the ballot - no later than 42 days before the day of the ballot.
- The day of the ballot must be at least 28 days after the date ballot papers are sent to voters and no later than 90 days after publication of the notice of the ballot.
- The ballot holder sends ballot papers to voters with a statement on the arrangements for ballot - no later than 42 days before the day of the ballot.
- On the day of the ballot, all ballot papers must be received by 17.00 hours.
- The votes must be counted as soon as practicable after the day of the ballot.
- The notice of the result must be published as soon as reasonably practicable after the result is certified.
- A complaint concerning a material irregularity in a ballot must be made within 28 days of the notice of the result.
- The billing authority must exercise their veto (if required) within 14 days of the day of the ballot.
- Ratepayers can appeal against the exercise of the veto within 28 days of the veto notice.
- Commencement date must be no later than a year from the notice of the result.

Schedule 2 contains detailed procedural requirements on BID ballots under the following headings in the following order:

- Timetable
- Day of the ballot
- Ballot - preliminary procedures
- Ballots - general
- Proxy voting
- Requirement of secrecy
- Notification of requirement of secrecy
- The ballot paper
- Prohibition of disclosure of vote
- Procedure on issue of ballot paper
- Spoilt ballot papers
- Lost ballot papers
- Receipt of return ballot papers
- The count
- Rejected ballot papers
- Decisions on ballot papers
- Declaration of result
- Validity
- Retention of ballot papers

To improve the chances of a ballot running smoothly and effectively and increase a high turnout it is important that extensive groundwork has been done prior to the ballot papers being sent out.

- The BID Proposer, the Billing Authority, and the Ballot Holder together to make sure that the local rating list is updated and that any proxy voting rights are in place.
- The ballot paper will be sent to hereditament concerned; the principal place of business in England of the ratepayer or, where a proxy is appointed, to the address of the proxy.
- Whilst the Regulations are clear on what can/cannot be printed on the ballot paper it is possible to include wording on the envelope containing the ballot paper. Words identifying the envelope as containing important documentation may be printed on the outside of the envelope.

The ballot holder is statutorily required to send a copy the notice of ballot to the Secretary of State at the following address:

Secretary of State  
Office of the Deputy Prime Minister  
5/H2 Eland House  
Bressenden Place  
London  
SW1E 5DU

**Regulation 8** - provides that the person entitled to vote will be the non-domestic ratepayer:



- as defined in the BID proposals (BID area, type of property etc);
- who is the ratepayer on the day of the ballot.

Where a person has two hereditaments within a BID area, he will get a vote for each hereditament.

'Person' means any legal person i.e. natural person, and company.

In the case of a ballot paper being addressed to a company and not to a named individual then the ballot holder is not obliged to check whether the person who signed the ballot paper has the authority of the company to do so. It is for the company to ensure its internal procedures in place to deal with such correspondence. However, as previously mentioned prior groundwork will help to prevent such a scenario from occurring.

### **Regulation 9 -**

A ballot can be declared void if there is a material irregularity, ie a breach of the rules that has influenced the result by a significant extent.

A ballot can only be declared void if a complainant writes to the Secretary of State within 28 days of the announcement of the result of the ballot.

The complainant can be:

- the relevant billing authority
- the BID proposer or the BID body;
- at least 5% of the number of persons entitled to vote in the BID ballot.

The Secretary of State will notify the BID proposer, the local authority and the complainant of his decision and where it was the result of action or omission of the BID proposer may include an explanation to that effect which could make the BID proposer liable to any costs incurred.

**Regulation 10** - enables a billing authority to recover the costs of a BID ballot or a renewal ballot from the BID proposer or BID body:

- where less than 20% of eligible ratepayers vote in favour of the proposals and either the ballot was unsuccessful or was declared void due to acts or omissions of the BID proposer /body.

However, there is nothing in the Regulations preventing local authorities from negotiating with BID proposers to share the ballot costs, where a BID is successful. Some authorities may wish to absorb such costs as part of their contribution towards the BID.

**Regulation 11** - provides for the billing authority to supply information to the ballot holder from its non-domestic rates records for the purpose of canvassing in relation to a ballot.

Authorities are required to provide details of names and addresses of the non-domestic ratepayers and the rateable values of the hereditaments located in the BID area.

A copy of the information provided by the billing authority may be requested by:

- the BID proposer or the BID body;
- any person/s representing at least 5% of those liable for any proposed BID levy.

Authorities may make a reasonable charge for supplying the information.

The Regulation also prevents the disclosure or use of the information except for the purposes of canvassing those entitled to vote in a BID ballot.

**Regulation 12** - enables billing authorities to veto BID proposals if they consider the arrangements are likely to:

- conflict to a material extent with any of their published policies;
- place a disproportionate and inequitable financial burden on any person or group of persons through manipulation of the BID geographical area or the structure of the BID levy.

The veto must be made within 14 days from the day of the ballot.

In deciding whether to exercise its veto, the billing authority must have regard to the following:

- the level of support for the BID proposals;
- the nature and extent of the conflict with the local authority's published policies;
- the structure of the BID levy and how the financial burden of the BID is to be distributed among ratepayers;
- the amount of prior discussion between the BID proposer and the local authority before submitting the BID proposals to the authority;
- the costs incurred in developing BID proposals and in canvassing.

We expect the veto to be used only in extreme cases where the local authority has not been fully involved in the development of the BID scheme.

**Regulation 13** - sets out the procedures for dealing with appeals against the use of the veto.

Any person entitled to vote in a BID ballot may appeal to the Secretary of State within 28 days of the veto notice being given by the billing authority.

Appeals must be dealt with by way of written representations. On receipt of an appeal, the Secretary of State must acknowledge receipt and send a copy of the appeal to the billing authority.

Following this, the appellant and the billing authority may make written representations to the Secretary of State within 28 days, and a copy of those representations are copied to the other parties. The parties have a further 14 days to make additional representations.

In deciding whether to exercise its veto, the Secretary of State must take into account:

- the level of support for the BID proposals;
- the nature and extent of the conflict with the local authority's published policies;
- the structure of the BID levy and how the financial burden of the BID is to be distributed among ratepayers;
- the amount of prior discussion between the BID proposer and the local authority before submitting the BID proposals to the authority;
- whether the billing authority changed any of their published policies after being notified of proposals to proceed to a BID ballot, so that the policy then conflicted with the BID proposals; and
- the costs incurred in developing BID proposals and in canvassing.

### **Regulation 14 and Schedule 3**

Where a BID is approved in the ballot the Billing Authority must set up a BID revenue account by the day the arrangements come into force which account for debits and credits. Details are specified in Schedule 3.

BID moneys are ring-fenced from other local authority funds. This means that they can only be spent on BIDs. Each BID must have its own separate BID revenue account even if there is more than one BID within a billing district.

Where a BID comes to an end or is terminated, and if there is a credit to the BID Revenue Account that equates to more than £5 per levy payer, that amount must be returned to the levy payer.

When developing a BID proposal thought should be given to the procedures for transferring the monies from the BID Revenue Account to the BID Body. In most circumstances it is envisaged that the BID Body will carry out the works/services under the BID arrangements with the BA handing amount over directly into the BID Body bank account.

**Regulation 15** - cross-refers to Schedule 4 that sets out the procedures to be followed by the billing authority in the administration, collection, recovery and applications of the BID levy.

**Regulation 16** - allows BID arrangements to be altered without an alteration ballot, where the BID arrangements include a specific provision to that effect. But arrangements can not be altered without a ballot if the alteration would:

- change the geographical area of the BID;
- change the BID levy in a way that would make liable for the BID levy any person who was not previously liable to pay;
- increase the BID levy for any person.

Where the BID arrangements make provision for alterations to be made without an alteration ballot, there must be consultation those responsible for implementing the BID arrangements and the relevant billing authority.

**Regulation 17** - provides for alterations to be made to BID arrangements following a ballot.

Where alterations are proposed to BID arrangements which do not allow for alterations to be made without a ballot and the alterations would:

- change the geographical area of the BID;
- change the BID levy in a way that would make liable for the BID levy any person who was not previously liable to pay;
- increase the BID levy for any person;

the alterations can not come into force unless the alteration proposals are approved by a ballot of the ratepayers liable for the levy under the alterations and the majority of businesses balloted are in favour, both in terms of the numbers and in terms of rateable value.

**Regulation 18** - allows a billing authority to terminate BID arrangements:

- if it is of the view that the BID body will have insufficient finances to meet its liabilities;
  - and it has offered the BID body a reasonable opportunity to arrange for financing the shortfall or a reduction in the works or services under the BID arrangements;
  - and those liable for the BID levy have been given the opportunity to make representations at a public meeting about the proposed termination.
- if the authority is unable, due to circumstances beyond its control, to provide works or services necessary for the BID to continue;
  - and there has been consultation with the representatives of the business community.;

Those responsible for the BID arrangements may also terminate those arrangements where:

- the works or services to be provided under the BID arrangements are no longer required;
- the BID body, due to circumstances beyond its control, is unable to provide works or services which are necessary for the BID to continue;
- and provided there has been consultation with the billing authority and representatives of the business community.

At least 28 days notice must be given of an intention to terminate the BID arrangements.

**Regulation 19** - requires the billing authority to supply to the ballot holder any information he needs to enable him to carry out his functions under the Regulations.

**Regulation 20** - requires the billing authority to pay the ballot holder's expenses in holding ballots under the Regulations. However, where Regulation 10 applies, or where the billing authority has an agreement with the BID proposer, the authority can pass these costs on to the BID proposer.

**Regulation 21** - provides for the electronic communication of requests, applications or notices referred to in the Regulations, provided they are legible and capable of being used for subsequent reference.

**Schedule 3** - sets out the information required to be reflected in a BID Revenue Account kept by a billing authority.

**Schedule 4** - contains detailed requirements on the imposition, administration, collection, recovery and application of the BID levy under the following headings in the following order:

- Interpretation
- The requirement for demand notices
- Content of demand notices
- Invalid notices
- Service of demand notices
- Payments under demand notices
- Payments under demand notices: further provision
- Demand notices: final adjustment
- Enforcement
- Outstanding liabilities on death
- Application of BID administration provisions to the Crown
- Joint occupiers and owners: billing

- Joint occupiers and owners: enforcement
- Enforcement in relation to partnerships