

The background of the slide features the Falkirk Council Coat of Arms. It is a shield divided into four quarters. The top-left quarter shows a saltire (X-shaped cross) with a castle tower in the center. The top-right quarter depicts a stag's head facing left. The bottom-left quarter shows a three-masted sailing ship on wavy lines representing water. The bottom-right quarter features a crowned eagle with spread wings. Above the shield is a crown with four fleurs-de-lis. A ribbon at the bottom contains the motto 'A'NE FOR A' in capital letters.

Agenda Item 8

Falkirk Business Improvement District Renewal

Falkirk Council

Title: Falkirk Business Improvement District Renewal
Meeting: Executive
Date: 15 June 2021
Submitted By: Acting Director of Development Services

1. Purpose of Report

- 1.1 This report sets out the renewal arrangements, in accordance with Business Improvement District (Scotland) legislation in respect of the Falkirk Business Improvement District (BID) renewal ballot proposals and business case for 2021-2026.

2. Recommendation(s)

It is recommended that the Executive:

- 1) notes the Falkirk Business Improvement District (BID) renewal arrangements for a fourth term from 27 August 2021 to 31 October 2026**
- 2) agrees that the Council should support a future BID term and will not exercise its right to veto a re-ballot.**
- 3) agrees that, upon a positive outcome from BID levy payers to undertake a re-ballot, the Council should instruct Falkirk Towns Ltd to commence the ballot procedure and programme.**
- 4) agrees that a further report be brought back to Executive on the outcome of the Falkirk BID ballot when concluded.**

3 Background

- 3.1 A Business Improvement District (BID) is a partnership between a local authority and a local not for profit business to provide targeted improvements within a specified and defined geographical area. In the UK, BIDs are funded in whole or in part by a levy on non-domestic ratepayers.
- 3.2 BIDs are developed, managed and delivered by means of legislation to permit the charge of a compulsory levy which eligible businesses in the proposed defined BID area must vote in favour of before the BID can be established. Each eligible business can vote on whether the BID goes ahead based on a proposed business plan to be delivered over the lifetime of the BID.
- 3.3 The Falkirk BID is delivered by Falkirk Towns Ltd a company limited by guarantee which provides town centre management services and runs the

Falkirk BID within the defined BID area in Falkirk town centre as set out in Appendix 1. The Falkirk BID's work assists the Council in achieving its economic development objective supporting Falkirk town centre, its businesses and the work of the Falkirk Town Centre Partnership. Falkirk Towns Ltd is funded on the basis it is able to provide services which could not readily be provided by the Council. Whilst not its principal focus, in recent months the Falkirk BID has been engaged to offer additional support to district centres as a means of assisting businesses in those locations respond to the Covid pandemic.

- 3.4 The principal aim of the Falkirk BID through its 5 year business plan is to deliver projects, initiatives and services to support local business, enhance the physical environment and improve safety for town centre users and visitors in the BID area. BID projects are new and additional projects or services and do not replace services that are already provided by Falkirk Council or other statutory bodies.
- 3.5 The Falkirk BID has now concluded its third term and as is required to undertake a re-ballot to seek approval for a further 5 year delivery period. There are approximately 662 commercial properties in the BID area which will generate a BID investment levy income of approximately £171,415 per annum and an estimated total levy income of £857,075 over the 5 year term. The BID levy will be paid by all eligible occupiers liable to pay non-domestic rates listed on the Assessor's Valuation Roll on the BID ballot date and based on the rateable value of the property.

4 Considerations

- 4.1 As one of Scotland's first BIDs, the Falkirk BID has been in operation since 2008 and introduced to Falkirk a number of retail, business and hospitality support initiatives to enhance both daytime and evening economies. It has worked closely with town centre businesses, local community groups and partners to improve the vitality of the town centre. The organisation is also responsible for a range of activities to reduce crime, encourage tourism and improve the trading environment as well as a number of footfall driving events such as Funny in Falkirk and Christmas campaigns.
- 4.2 More recently, Falkirk Delivers has played an important role in the response to the Covid-19 pandemic, focusing all available resources to support local businesses and residents. As an important delivery partner, the organisation is contributing to the Council's Economic Recovery Plan and the Falkirk Town Centre Action Plan through the delivery of a number of engagement events, business support measures and environmental improvements.

Responding to fast changing government guidance and leveraging over £60K of BID resilience funding, the organisation supported over 200 businesses with grant applications and issues, provided much needed PPE, social distancing signage and delivered clean-ups and floral enhancements to prepare businesses and towns for re-opening and welcoming back shoppers.

A free shop local delivery service enabled business to continue to trade during the lockdown period securing an estimated £100k of sales, delivery of 3500 parcels and saving over 25k non-essential miles. The street ambassador and handyman played a crucial role in responding to town centre issues including social distancing and excessive queuing. As an integral member of the Town Centre Covid Group, the organisation helped introduce new safe outdoor trading spaces and established good multi-way communication between the group and business owners. This support has also been extended to district centres.

Responding to the needs of the local community, the company assisted in the delivery of over 3000 prescriptions locally and co-ordinated the delivery of over 10,000 meals to local foodbanks.

4.2 In order to meet BID Scotland guidelines, the timeline below has been set:-

- **By 20 May 2021** - BID Proposal received by Falkirk Council and countdown to renewal ballot commences.
- **By 17 June 2021** - Falkirk Council must respond in writing on the decision to veto or not veto the ballot proposal.
- **By 1 July 2021** - BID proposer (Falkirk Towns Ltd) will request Falkirk Council to instruct ballot.
- **By 15 July 2021** - Ballot holder puts in place arrangements to hold the BID ballot.
- **By 15 July 2021** - Falkirk Council to issue ballot papers and publish notice of ballot.
- **By 26 August 2021** - Ballot day. Eligible businesses post papers to ballot holder.
- **By 27 August 2021** - Count day. The ballot holder counts the received ballot papers.
- **By 3 September 2021** - Declaration of results by ballot holder (FC) including via Council website

5 Consultation

5.1 In December 2020, a business questionnaire was issued to existing and new eligible BID levy payers and the feedback received informed the business case for 2021-2026 detailed in the BID Proposal (as set out in Appendix 2). In summary, the aim of the BID proposal is to deliver projects and services that improve the trading environment of the BID area to benefit businesses, their customers and visitors to the area, as follows:-

- **Promote** Falkirk as an exciting and dynamic place to shop, live and work.
- **Maintain** and enhance attractiveness and cleanliness throughout the town centre.
- **Work** with relevant partners to deliver a safe and vibrant town centre.
- **Ensure** Falkirk meets and exceeds expectations as a visitor destination.

- **Identify** additional funding streams, including establishing a social enterprise.
- **Inspire** visitors to enjoy the town centre from day to night.
- **Create** an environment in which businesses are informed, integrated and represented.

5.2 Further engagement to promote the business case and progress the BID ballot renewal is currently underway with the 541 eligible voters (representing 662 properties) in the Falkirk BID area. For a successful BID outcome to be achieved, BID legislation requires at least 5% of those eligible to vote to indicate favourable support for the BID renewal. To date the questionnaire indicates that Falkirk BID has secured 17.5% thus comfortably attaining the legal requirements for a renewal ballot to take place.

5.3 In relation to the Council's capacity to veto, there has been no veto exercised by any Scottish local authority during the Business Improvement District period. A local authority can only veto proposals in the circumstances that they consider that the BID proposals are likely to:-

- to conflict with any structure plan, local plan, strategic development plan or local development plan which has been approved or adopted under the principal Act and which applies to the proposed business improvement district or any part of it,
- to conflict to a material extent with any policy formally adopted by and contained in a document published by the authority (whether or not the authority are under a statutory duty to prepare such a document), or
- to lead to a significantly disproportionate financial burden being imposed on— (i) any person entitled to vote in the ballot on the proposals, or (ii) any class of such persons, as compared to other such persons or classes.

5.4 As there is no conflict of the Falkirk BID's proposals with any of the above it is suggested that there is no valid reason to veto the BID proposal and therefore the Council should indicate its willingness to see the ballot proceed.

6 Implications

Financial

6.1 In line with the past three terms, Falkirk Council will administer and collect the BID levy on behalf of the Falkirk BID. The BID Revenue Account and levy cannot be accessed by Falkirk Council nor can it be used by the Council as an additional source of income. In the event of any non-payment, Falkirk Council (as the billing body) will use recovery powers available. Falkirk Council will be entitled to charge an additional fee to the levy amount to meet any additional costs incurred in the recovery of the levy.

- 6.2 It is important to note that the Council will provide financial support to Falkirk Delivers of £79,000 in financial year 2021-22. Additionally, £30,000 of funds previously given for taxi marshalling and Safebase was directed towards daytime Covid recovery measures in the town centre during the periods of lockdown and more recently to support consumer safety at the Falkirk Producers' Market.

The November Executive approved economic recovery revenue funding (£50K) to recruit appropriate support staff to provide extensive business resilience assistance, digital transformation support, promotional initiatives and environmental improvements in District Centres for 2020/21. Continued revenue allocation (£130K) was agreed in April to extend this support for 2021/22 and 2022/23. The Falkirk BID has also been successful in leveraging external funding and in-kind assistance.

Resources

- 6.3 Support by Revenue Services in managing the Falkirk BID levy will again be maintained within existing resources. All accommodation and staff resources to deliver the Falkirk BID are managed through Falkirk Towns Ltd which is directly grant supported by Falkirk Council. Recent additional financial support through the Economic Recovery Plan is targeted at district centres and not the BID area.

Legal

- 6.4 As detailed above, the authority may veto the BID proposals in certain circumstances. It is important to note that no Local Authority has exercised authority to veto since the conception of BIDS in 2008.

Policy

- 6.5 Support of the Falkirk Business Improvement District re-ballot contained in this report accords with the Council's policy priorities set out in the Corporate Plan 2020-22 and its Business Plan priority under Enterprise - helping businesses to thrive and make Falkirk more prosperous. Support for town centres is a Council of the Future priority project within the Enterprise workstream – Investing for Inclusive Growth

Risk

- 6.6 There are no risk implications arising from the report recommendations that will directly impact Falkirk Council. Should the Falkirk BID levy re-ballot be unsuccessful, the level of support to promote Falkirk town centre will be substantially reduced due to the absence of BID levy to deliver identified business plan projects. The decision on future investment paid by a BID levy is made by businesses within the BID levy area and not Falkirk Council.

Equalities

- 6.7 The support by Falkirk Council of the administration and delivery of the Falkirk BID will help to advance the Council's equalities agenda, particularly in supporting business to survive, creating of a vibrant town centre with access to services for all and creation of employment opportunities.

Sustainability/Environmental Impact

- 6.8 There is no requirement to undertake a sustainability/environmental impact assessment directly as a result of this report.

7 Conclusions

- 7.1 The Falkirk BID will further support the Council to deliver its ambitious regeneration plans for the town centre, grow local economies, create local employment and create a cleaner, safer trading environment. A key element to establishment of the Falkirk BID is the vote that businesses within the defined BID area make as to whether to support or reject the opportunities set out in the Falkirk BID business plan 2021-2026. The Council is keen to promote the BID model as a means by which town centre businesses can attract and deliver additional investment and to this end it is recommended that the Council should support the intention of Falkirk Towns Ltd to undertake a re-ballot.
- 7.2 Upon a positive vote being indicated by businesses, the management and operation of the BID will continue under the existing company structure and name, Falkirk Towns Ltd t/a Falkirk Delivers. The Council will require to give its support in recouping BID levies. The Company will continue to be managed by its Board of Directors and regular reports on progress will be presented at Scrutiny Committee.

Acting Director of Development Services

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Appendices

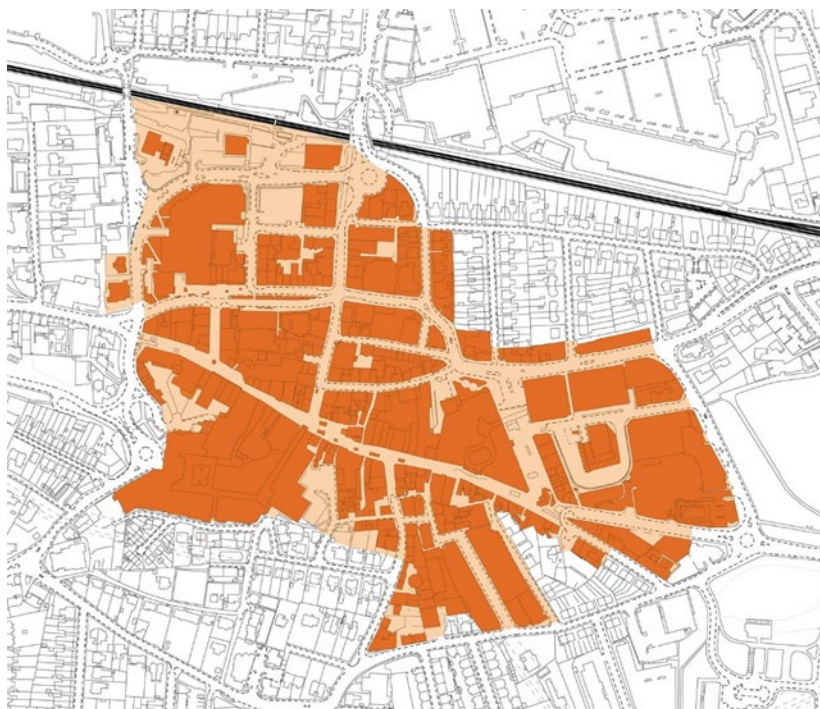
1. Falkirk Bid Boundary Area

List of Background Papers:

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973:

- None

FALKIRK BID BOUNDARY AREA



Why this area was chosen.

The Falkirk Delivers BID area comprises the historical town centre and was originally defined in order to ensure the effective concentration of resources on that area. Consultations with businesses highlighted several issues that could be addressed by a BID. There are circa 662 Properties located in the BID area.

Streets within the BID area:

Bank Street	Kings Court	Tolbooth
Baxter's Wynd	Kirk Wynd	Street
Bean Row	Lint Riggs	Vicar Street
Bellevue Street (B&M/KFC)	Manor Street	Weir Street
Callendar Riggs	Manse Place	(#1-6)
Callendar Road (partial: #1-9	Meadow	Williamson
and non-numbered premises	Street	Street
within shaded area and Bus	Melrose	Wooser
Station units)	Place	Street
Cockburn Street (odd	Melville Lane	
numbers)	Melville	
Cow Wynd (1-58)	Street	
Dundee Court	Mission Lane	
East Bridge Street	Newmarket	
Garrison Place	Street (inc.	
Glebe Street	Newmarket	
High Street (inc. Howgate	Centre)	
and Callendar Square)	Park Street	
Hope Street (excluding	Princes Street	
Morrison's)	St. Crispin's	
Kerse Lane	Place	