

## **EX25. Falkirk Business Improvement District Renewal**

The Executive considered a report by the Acting Director of Development Services which set 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.

The Falkirk BID was one of Scotland's first and had been in operation since 2008. It had worked closely with town centre businesses, local community groups and partners to improve the vitality of the town centre. The organisation was 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. Falkirk Delivers had also played an important role in the response to the Covid-19 pandemic, focusing all available resources to support local businesses and residents.

To meet BID Scotland guidelines, the timeline below had been set:-

- By 20 May 2021 - BID Proposal received by Falkirk Council and countdown to renewal ballot commenced.
- By 17 June 2021 - 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) would request Falkirk Council to instruct ballot.
- By 15 July 2021 - Ballot holder put 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.
- By 27 August 2021 - Count day.
- By 3 September 2021 - Declaration of results by ballot holder including via Council website.

Engagement to promote the business case and progress the BID ballot renewal was underway with the 541 eligible voters (representing 662 properties). For a successful BID outcome to be achieved, legislation required at least 5% of those eligible to vote to indicate favourable support for the renewal. To date information indicated that the Falkirk BID had secured 17.5% support, comfortably attaining the requirement for a renewal ballot to take place.

In relation to the Council's capacity to veto, there had been no veto exercised by any Scottish local authority during the BID period. A local authority could only veto proposals in circumstances that they considered that the proposals were likely to:-

- conflict with any structure plan, local plan, strategic development plan or local development plan which had been approved or adopted under the principal Act and which applied to the proposed business improvement district or any part of it,

- 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 were under a statutory duty to prepare such a document), or
- 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.

As there was no conflict of the proposals with any of the above it was recommended that there was no valid reason to veto the BID proposal and therefore the Council should indicate its willingness to see the ballot proceed.

## **Decision**

### **The Executive:-**

- (1) noted the Falkirk Business Improvement District (BID) renewal arrangements for a fourth term from 27 August 2021 to 31 October 2026;**
- (2) agreed that the Council should support a future BID term and would not exercise its right to veto a re-ballot;**
- (3) agreed 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, and**
- (4) agreed that a further report be brought back to Executive on the outcome of the Falkirk BID ballot when concluded.**