

Housing, Homelessness and Fair Work Committee

10.00am, Thursday, 18 March 2021

Business Improvement Districts

Executive/routine Wards Council Commitments	Executive All
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1. Recommendations

- 1.1 Committee is asked to agree the process for determining the Council's vote(s) in a Business Improvement District (BID) Ballot as follows:
 - 1.1.1 In the event that the Council has multiple properties within the BID area, the Council will cast the same vote for all properties;
 - 1.1.2 Should the Convener and Vice Convener of Housing, Homelessness and Fair Work, the Convener and Vice Convener of Finance and Resources and local ward Councillors not reach consensus on how the Council vote should be cast, they will be asked to cast one further vote by way of a poll. The majority outcome of the poll will determine the Council overall vote;
 - 1.1.3 In the event that there is no consensus reached and there is no overall majority, responsibility for the Council's vote(s) is delegated to the Executive Director of Place in consultation with the Leader and Depute Leader of the Council.

Paul Lawrence

Executive Director of Place

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Report

Business Improvement Districts

2. Executive Summary

- 2.1 This report sets out the recommended process for confirming the Council's vote (where applicable) when establishing Business Improvement Districts (BIDs).

3. Background

- 3.1 BIDs allow business communities to raise funds through a levy on non-domestic rates (NDR) and take forward a range of activities to improve the area in which they are located.
- 3.2 There are currently two business improvement districts in Edinburgh – [Essential Edinburgh](#) (City Centre – New Town) and Edinburgh's [West End](#).
- 3.3 The West End BID term ended in June 2020. Due to the Covid-19 pandemic, [legislation](#) was put in place to allow BIDs to extend their operational term until 31 March 2021 with a rebalot meant to be held before then.
- 3.4 The [Business Improvement Districts \(Scotland\) Regulations](#) (2007) cover how BIDs are formed and operate. Both Local Government and Scottish Government, including its agency the Scottish Towns Partnership, have a role in oversight of the development process and any BID.
- 3.5 There are a number of responsibilities within the legislation in respect of responsibilities which fall to the local authority to progress. However, these do not include responsibilities in respect of voting rights.
- 3.6 A report was presented to, and agreed by, Housing, Homelessness and Fair Work Committee on [20 January 2020](#), setting out the process for how the Council's vote should be determined in those cases where the Council is an eligible voter in a ballot establishing a BID.
- 3.7 The report did not clarify how the vote would be determined in the event of multiple Council-owned properties in the BID area or in the event that consensus could not be reached and a further report, clarifying the procedure for any future ballot was requested.

4. Main report

- 4.1 In addition to the Council's statutory duties in respect of the preparation and administration of a BID, there are situations where the Council would also be an eligible voter in the area being considered for a BID due to the Council's property ownership.
- 4.2 The actual vote (or votes) has to be submitted by an officer of the Council. It was agreed in Housing, Homelessness and Fair Work Committee on [20 January 2020](#) that this responsibility would be delegated to the Executive Director of Place, in consultation with the Convener and Vice Convener of Housing, Homelessness and Fair Work, the Convener and Vice Convener of Finance and Resources and local ward Councillors.
- 4.3 In the event that the Council has multiple properties within the BID area, the Council needs to cast one vote for each property.
- 4.4 The Council wishes to have an overall stance for the BID, which would be applied to every property in our ownership. It is therefore recommended that, where the Council has multiple properties eligible to vote, that the same vote will be cast for all properties to avoid any confusion around the Council's position with regards to the BID.
- 4.5 It is further recommended that, if consensus cannot be reached through dialogue between the Convener and Vice Convener of Housing, Homelessness and Fair Work, the Convener and Vice Convener of Finance and Resources and local ward Councillors, a poll should be held on whether they support the principles of the BID (as set out in their business plan) or not with each having a single vote. If one of the ward Councillors is also Convener or Vice Convener of either Committee, their vote should still only count once. The overall Council vote will then be determined by a simple majority outcome of the poll, giving equal weighting to the interests of the local community, the Council's financial position and the economic impact of the proposal.
- 4.6 In the event of a tie, and there is no overall position for the Council, it is recommended that, rather than abstain, the decision of the Council overall vote will be taken by the Executive Director of Place in consultation with the Council Leader and Depute Leader.

5. Next Steps

- 5.1 The consultation arrangements outlined in the previous report to Housing Homelessness and Fair Work Committee will be followed for any new proposals to create a BID where the Council is an eligible voter. If the recommendations in this report are approved, the consultation arrangements outlined above will be followed in the event that consensus cannot be reached.
- 5.2 Officers are of the understanding that the West End BID Board has decided to terminate the BID arrangements when the current operational term comes to an end

on 31 March 2021, so no rebalot will take place this year. It is expected that the next BID ballot in Edinburgh will be a renewal ballot for the City Centre BID. This is likely to take place around June 2023.

6. Financial impact

- 6.1 There are no financial impacts arising directly from this report.
- 6.2 However, if the outcome of a ballot is to go ahead to establish a BID in an area where the Council has property ownership, there will be a financial impact on the Council as a result of the additional levy applied. The additional levy % is determined by the individual BID proposers as part of their business plan development.

7. Stakeholder/Community Impact

- 7.1 The consultation on BIDs is undertaken by a BID steering group, usually established by interested businesses in a local area.

8. Background reading/external references

- 8.1 [Business Improvement Districts](#) report to Housing, Homelessness and Fair Work Committee 20 January 2020.

9. Appendices

- 9.1 None.