

# PLYMOUTH WATERFRONT BUSINESS IMPROVEMENT DISTRICT

PLACE AND CORPORATE OVERVIEW & SCRUTINY COMMITTEE: MARCH 2017



## I. Background

Plymouth Waterfront Partnership Ltd established a Business Improvement District for Plymouth Waterfront in April 2012 and it is due to be renewed for another 5 year term from 1 April 2017.

Plymouth City Council Cabinet, at its meeting on 17<sup>th</sup> January 2017 received a paper on the proposals for a further 5 year term to take effect from 1 April 2017. The paper; Waterfront Business Improvement District (BID) Renewal, described the significant achievements and improvements in the Waterfront over the last 5 years and how the Plymouth Waterfront Partnership has provided a major voice for many businesses, organisations and partnerships within the City.

The Cabinet supported the proposals and approved the recommendations, namely to;

1. Endorse the principles and overall approach of the draft Waterfront BID2 Business Plan 2017-2022.  
**Reason:** To confirm the partnership approach to the Waterfront Business Improvement District and establish a framework for service improvement mechanisms within the Business Improvement District area.
2. Approve the City Council's existing and new commitments to secure financial, match and in kind contributions (totaling c.£8,911,000) and continued commitment to support the Waterfront BID at existing levels through the proposed BID Contract for the provision of services within the Waterfront Business Improvement District area.  
**Reason:** To enable the Plymouth Waterfront Partnership to implement the Business Plan 2017-2022.
3. Authorise the Chief Executive to instruct a Ballot Holder to undertake a ballot of appropriate businesses with the Waterfront Business Improvement District area.  
**Reason:** To enable a ballot in the Business Improvement District area to be conducted in accordance with Section 35 of the Representation of the People Act 1983.
4. Delegate to the Strategic Director for Place authority to vote on behalf of the City Council in the Waterfront Business Improvement District ballot.  
**Reason:** To discharge the City Council's responsibilities in relation to the ballot as an occupier within the Waterfront Business Improvement District area in a timely manner consistent with the Business Improvement District ballot programme and in order to achieve the City Council's wider economic and regeneration objectives for the city.
5. Delegate to the Strategic Director for Place authority to approve the Waterfront Business District Contract provided that it accords with the general principles set out in this report.  
**Reason:** To allow the Business Improvement District Contract to be formally signed after the Business Improvement District ballot and in advance of the formal commencement of the new Business Improvement District for the period 2017-2022.

6. PCC is responsible for managing Street Trading activity within the Waterfront BID area, with an agreed surplus of a minimum £20k generated from street trading, café licenses, events, fairs, festivals being transferred from PCC to PWP following the end of each financial year.  
**Reason:** To enable the PWP (working closely with PCC, promoters, event managers and others) to generate revenues that can then be reinvested for the BID's delivery.
7. The City Council will assist PWP with cash flow over the initial 6 months of its new BID.  
**Reason:** This will ensure that PWP can establish a trading operation and deliver BID Projects in a timely period.
8. Referral to Scrutiny/Select Committee for consideration of the ballot result and the right to exercise the veto. That meeting will then make a recommendation to Full Council. Request the Overview and Scrutiny Commission to insert into their scrutiny work programme a review of the Business Improvement District proposals with a view to making a recommendation to the City Council regarding exercising its power of veto.  
**Reason:** To meet the requirements of Regulation 12 of the Business Improvement District (England) Regulations 2004 in relation to the use of the power of veto and to provide independent scrutiny of the Business Improvement District proposals.

## 2. The Ballot

The Council, as Ballot Holder, are currently undertaking a democratic ballot of all eligible businesses located within the BID boundary with a ballot deadline of 5.00pm, 1st March 2017. The formal ballot proceedings are being conducted by the Electoral Reform Service. The result of the BID ballot will be announced by 8<sup>th</sup> March 2017 and assuming a majority of businesses vote 'Yes' in the ballot (both by number and rateable value), the BID will be renewed.

## 3. The legislative framework

The legislative framework for BIDs includes a provision permitting a local authority to veto BID proposals regarding specific matters. With Plymouth BID being effectively a partnership between the City Council and the business sector in the shape of the Plymouth Waterfront Partnership it is considered important that a degree of independence is maintained when the time comes for the Council, as a whole, to consider whether the power of veto is applicable. The Place and Corporate Overview and Scrutiny Committee have been asked to review these matters in accordance with the Secretary of State BID regulations;

**Question 1.** Does the BID conflict to any material extent with any policy formally adopted by the Council?

*Answer. No, the Waterfront in Plymouth is vital to the heart of the community and the businesses which trade within it. It is a key priority for Plymouth City Council and for the future of the City's overall regeneration.*

**Question 2.** Does the BID place a significantly disproportionate financial burden on any person/ class of persons in the geographical area of the BID?

*Answer. No, the BID, if successful, will apply a 1.5% levy to all business rate payers within the BID area.*

**Question 3.** Has the geographical area of the BID changed? If so why?

*Answer. Yes, the BID area has been extended. Following detailed consultations with businesses, PWP have decided on the precise BID boundary area, which will continue to cover the primary attraction areas of The*

*Barbican, Sutton Harbour, The Hoe and foreshore, Millbay and Royal William Yard. In addition PWP have decided to expand the BID boundary to encompass Mount Batten, Mayflower Marina and parts of Union Street and Durnford Street, to ensure a wide view is taken on the visitor experience. The Waterfront BID area will continue to buffer against the boundary of the City Centre Company's existing BID area, ensuring enhanced links between the two areas and a seamlessly positive visitor experience.*

**Question 4.** What is the level of support as evidenced by the result of the BID ballot for the BID proposals?

*Answer. The voting mandate and the result of the ballot will be widely publicised following the announcement of the result by 8 March 2017.*

**Question 5.** What were the costs in developing the BID proposals and canvassing?

*Answer. Costs have been met by the Plymouth Waterfront Partnership as the BID Proposer.*

#### **4. Summary**

This paper provides evidence that the Plymouth Waterfront Business Improvement District, BID proposals and the ballot comply with matters in accordance with the Secretary of State BID Regulations. This information is to be considered by the Place and Corporate Overview and Scrutiny Committee in order for it to determine whether it chooses to exercise its power of veto.

The Committee is invited to view the final Waterfront BID Business Plan 2017-22 (BID Proposal) at: [www.waterfrontbid.co.uk](http://www.waterfrontbid.co.uk)

#### **5. Recommendation**

It is recommended that the City Council does not exercise its power of veto.

**Author:** Patrick Knight, Economy, Partnerships and Regeneration Manager, Economic Development.

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