

SPALDING BUSINESS IMPROVEMENT DISTRICT SPALDING BID PROPOSAL

REGULATION 4 AND SCHEDULE 1 OF THE BUSINESS IMPROVEMENT DISTRICT (ENGLAND) REGULATIONS 2004 (CONTENT OF BID PROPOSALS)

1. Purpose of Document

Spalding Business Board (BID Proposer) has resolved to put forward a proposal for a ballot of the BID Levy Payers for a 5-year term.

Under the BID Regulations of 2004, Regulation 4, the BID Proposer is obliged to send the Billing Authority, South Holland District Council (SHDC), the BID Proposal.

This document is in fulfilment of that requirement.

2. Background to the BID

The last decade has seen towns across the UK experiencing massive changes as peoples' shopping and leisure habits move and their choices change. This has been exacerbated further by the pandemic and having to meet the unprecedented challenges that this has brought along with the cost-of-living crisis.

In this undeniably tough trading environment Spalding must continue to adapt, recover, and grow, in order to thrive. The town centre must be fit for purpose and able to compete with other places. It is crucially important to not only have a plan but to be aspirational for our businesses and our town.

Spalding is a market town with a population circa 34,000, Spalding has an offer that includes a regular market, a range of national businesses alongside both high quality and value range independents. It also has civic, commercial and community services. Beyond that it has an attractive riverside, a theatre, a range of events and a heritage offer related to both the place and buildings.

Spalding faces some specific challenges,

- Local, regional, and online competition
- A tired public realm
- Access and infrastructure issues
- The need to modernise its offer and attract investment in a different and fast changing business/consumer environment.
- The perceptions of local residents and business communities
- Organisational and funding stability.

These matters have of course not been helped by the unprecedented challenges due to the pandemic and the current 'cost of living' crisis.

It is against this backdrop and the desire to continue to evolve and succeed that the concept of a better performing and managed town centre is being examined.

One of the key things that came out of a Feasibility Study that was completed earlier in the process was the need for a coherent, business led plan and a ‘voice’ that brought together the many groups working for the betterment of the place. A cohesive business led group that brought together the many interests and had greater control over events and plans was also seen as desirable.

Consequently, the Spalding Business Board made of the partners below, has been working diligently and voluntarily since March 2023, engaging with the business community, culminating in the production of a draft business plan setting out projects to improve the Town Centre.

Geoff Taylor	Chain Bridge Forge
Steve Mason	Masons Models
Jason Coats	Element 78
Emma Robb/Kathryn Robb	Gibbs of Spalding
John Bland	Spalding Civic Society
Craig Delaney	Calthrops Solicitors
Catherine Duce	Penmans Jewellers
Susan Stublely	Occasions Jewellery
Cllr Nick Worth (Leader)	South Holland District Council
Simon Stone	Springfields
Emma Peake	Daisies Floral Design
Rahi Ahluwalia	Alfies
Nathan Marshall	Ark Property/Priors Oven
Katrina Pierce	FSB

3. Consultation with Businesses on the Proposal

Extensive engagement has been conducted over the last few months in order to arrive at both a business plan and the decision to develop a Business Improvement District (BID). A summary of this consultation and engagement is set out in Appendix A.

4. Proposal Information

Item	Proposal
BID Body	Spalding Business Board
Type of Body	Private Company Limited by guarantee
BID Area	The BID area is set out in Appendix B
BID Commencement & Duration	5 Years duration. (Commencement date will be 01 September 2024, that is 61 days after the declaration.

<p>BID Levy</p>	<p>2% of RV across all eligible levy payers with RV of £2,500 or over. This will be adjusted annually to account for CPI if required.</p>
<p>Categories to be Included in the BID and Exemptions</p>	<p>The following specified classes of non-domestic rate payers, as defined by the Valuation Office Category Description are to be liable for the BID levy:</p> <p>Advertising Right And Premises, Amusement Arcade And Premises, Badminton Hall And Premises, Bank And Premises, Beauty Salon, Beauty Salon And Premises, Betting Shop And Premises, Bowling Alley And Premises, Bus Station And Premises, Cafe And Premises, Car Park, Car Park And Premises, Chiropodists And Premises, Clubs & Premises, Clubhouse & Premises, Clinic And Premises, Communication Station And Premises, Day Nursery And Premises, Escape Rooms And Premises, Funeral Parlour & Premises, Guest House And Premises, Gym And Premises, Hairdressing Salon And Premises, Hotel And Premises, Kiosk And Premises, Launderette And Premises, Library And Premises, Market And Premises, Museum And Premises, Office, Office And Premises, Offices, Offices for Wedding Ceremony Only & Premises, Offices Training Rooms & Premises, Playing Field And Premises, Public Convenience, Public Conveniences (part exempt), Public House And Premises, Restaurant And Premises, Retail/Beauty Treatment & Education, Retail Warehouse And Premises, Salon And Premises, Shop, Shop And Premises, Shop Workroom & Premises, Showroom And Premises, Sports Centre & Premises, Sports Therapy And Massage Clinic, Studio And Premises, Superstore And Premises, Surgery And Premises, Swimming Pool And Premises, Theatre And Premises, Veterinary Surgery And Premises, Youth Club And Premises</p> <p>The following exemptions will apply and receive 100% relief from the BID Levy:</p> <ul style="list-style-type: none"> • Non-retail charities, with no paid staff, trading income, arm or facilities. • Entirely, not-for-profit, subscription and volunteer-based organisations. <p>The BID Company will be responsible for making the decision on these exemptions, and that any organisation that feels they should be exempt should approach the BID Company in the first instance. A fair process will determine whether the exemption applies, and the Billing Authority will be informed accordingly. The BID Levy must be paid pending a decision on any application for exemption.</p>

	Please refer to Appendix C for full BID Levy Rules.
Alterations	<p>The levy rate of 2% of rateable value or boundary area cannot be increased without a full alteration ballot (except in the case of the annual rate of inflation using CPI). This will be at the discretion of the Board and if applied will be done so only at the beginning of each annual charging period). However, if the BID Company wishes to decrease the levy rate or change the following,</p> <ul style="list-style-type: none"> • Type of BID Projects Undertaken • Allocations and budgets for BID projects and between project headings • Project Timescales • BID Administration & Overhead Costs • BID Governance & Management <p>during this term, it will do so through a consultation, which will, as a minimum, require it to write to all existing BID levy payers. If more than 25% object in writing, then the proposed course of action or changes will not proceed. The BID Directors, through the above consultation and then through majority voting (of Directors) will be able to make the changes.</p>
Cap	Not Applicable
Projected BID Levy Income	£170,000 pa. The potential 5-year income/expenditure is set out in Appendix D
Will the costs incurred in developing the BID proposals, holding of the ballot or implementing the BID are to be recovered through the BID levy.	<p>This is to confirm that the costs incurred in developing the BID proposals and holding of the ballot will NOT be recovered through the BID Levy. The only implementation costs that will be recovered from the BID Levy is the Company Registrations Costs (estimated to be £100)</p> <p>The cost of the BID Ballot will be met by the BID Proposer</p>
Statement of Works	See Section 6 below

5. Existing Baseline Services

A baseline statement is an agreed level of service provided by relevant public agencies. Regular monitoring and evaluation of the standards within the BID area will ensure that the services provided by public agencies, primarily SHDC but also the Police, are up to the standards and requirements set out in the Baseline Statements. The Baseline Statements also ensures the services directly delivered by the Spalding BID do not duplicate those of public agencies and are therefore an efficient, effective, and productive investment of the BID income. The following, appropriate, baselines have been drawn up in partnership with SHDC and the Police and will be available on request.

- Community Safety
- Enviro-Crime

- Cleansing & Maintenance
- Car Parks
- CCTV
- Markets
- Events & Festivals
- Planting & Landscaping
- Public Conveniences
- Street Furniture
- Street Lights
- Theatre & Events
- Tourism, Destination & Regeneration
- Policing

6. Statement of Works

All of the services which the BID provides will be over and above the Baseline Statements and BID funding will not be used to replace any existing Local Authority services. On the basis of the responses so far to the BID Levy Payer consultation, the following services will be provided.

PROJECT THEME	DETAILS
Looking Great, Welcoming & Safe	Crime/ASBO Reduction Initiatives
	Landscaping & Greening
	'Hotspot' cleaning & maintenance
	Clean up street furniture
	Provision of more litter bins
Marketing, Promotions & Events	Development, promotion, and better management of Market(s) - General, Artisan, Food, Craft, Continental
	Development of high-quality calendar of events - Flower Festival, Christmas Fayre, Easter Parade, Street Food, Music Festival, Late Night Shopping, Car/Motorcycle Rally, Cycling
	Develop town branding & online presence
Moving Around & About	Better managed pedestrianised area
	Develop trails - Tourist, Heritage, Walking, Cycling
	Developing a more collaborative relationship with Springfieds
Backing Business	Better Business - provide proactive help on regulatory matters such as planning & licensing
	Develop centralised procurement schemes for independent businesses to reduce costs e.g. trade waste & recycling management, payments systems, energy, finance, legal
	Develop a Spalding Reward or Gift card scheme

7. Delivery Arrangements

If the BID Ballot is successful, an independent, not-for-profit company, limited by guarantee, will govern the BID.

The Board will have up to 15 Directors made up of representatives from levy paying businesses or voluntary contributors. Additional, non-levy paying members may be co-opted, as required.

Board Director positions are unpaid and voluntary and include a mix of all sectors of business that operate within the BID area as well as having the necessary skills and experience required to deliver the Spalding BID business plan. Board elections will be held and any levy paying business or equivalent financial contributor will be eligible to stand as a BID Board Director. Nominated representatives from SHDC will also be present at board meetings.

By becoming a member of the BID Company, you can have your say in controlling how the funds are spent and also holding the BID company accountable throughout the 5-year term. The BID company will not be able to make a profit and any surplus must be spent on the projects and services agreed by the levy payers and Board of Directors.

The BID will also employ a dedicated Manager to ensure the projects outlined in this Business Plan are delivered effectively and efficiently. The BID Manager will be responsible for:

Being the main point of contact between levy payers and the Board in respect of matters concerning the:

- The BID Business Plan
- Management and delivery of BID projects.
- Day to Day Company matters
- Seeking additional financial contributions towards the BID company
- On matters relating to billing, administration, collection, recovery and enforcement, these will be dealt with by the billing authority directly with the Levy Payer).

There will be regular updates via newsletters and e-bulletins. The annual reports and accounts will be produced at the end of each year and available to members.

8. Ballot Arrangements

The ballot will be held and conducted in accordance with The Business Improvement Districts (England) Regulations 2004 as amended. The ballot will be a postal ballot of all businesses in the BID area liable to pay the BID Levy. It will be conducted on behalf of the Returning Officer by Civica Election Services.

The ballot period is proposed to be run from 31 May 2024 to 28 June 2024. All eligible businesses in the BID area entitled to vote will be notified of the ballot

arrangements and will be sent the ballot papers. Proxy voting can be arranged for those that require it.

9. Financial Management Arrangements

The BID will be managed by a Company Limited by Guarantee and will follow all typical Companies House requirements including the filing of annual accounts which will consequently be available to the BID Levy Payers. An annual report will also be made available publicly.

The BID Company is not required to have an external audit.

The BID Regulations require summary information on income and expenditure to be sent with BID Levy invoices each year and this will be carried out.

The Board of Directors will be provided with monthly management accounts, and these will also be provided to SHDC.

At least 2 monitoring meetings will take place between relevant personnel from the BID and SHDC to monitor the Operating Agreement and day to day collection and enforcement arrangements.

As set out previously, subject to consultation, the Company will be able to adjust the following:

- Type of BID Projects Undertaken
- Allocations and budgets for BID projects and between project headings
- Project Timescales
- BID Administration & Overhead Costs
- BID Governance & Management

APPENDIX A – Summary of Business Consultation & Engagement

The following business consultation and engagement has been carried out.

- A Feasibility Study which sent out an online survey to over 400 businesses and carried out other forms on consultation resulting on over 80 individuals and organisations responding.
- An Open Business Meeting in February 2023 attended by 40+ businesses and organisations.
- Creation of the Spalding Business Board in March 2023, comprising of over 15 businesses plus the public sector. This has met monthly and produced the Draft Spalding Town Centre Business Plan
- Draft Spalding Town Centre Business Plan sent to all 400+ potential BID Levy Payers in August 2023
- An Open Business Meeting in September 2023, attended by 25+ businesses to help finalise the Draft Spalding Town Centre Business Plan and agree to move forward to a BID Ballot.
- Spalding BID Newsletter sent to all 400+ potential Levy payers in November 2023.
- One to One engagement with over 230+ independent businesses in the proposed BID area.
- Engagement with 32 National Businesses.
- Ongoing engagement with SHDC as a levy payer responsible for 17 hereditaments.

The above has resulted in and reinforced the following key areas being identified for improvement.



APPENDIX B - The Spalding BID Area

Description

The BID area essentially covers Spalding Town Centre and includes the categories of businesses set out earlier in this document :



The list of streets below covers the BID area (in part or full)

Abbey Buildings
 Abbey Path
 Abbey Yard
 Albert Street (part)
 Albion Street (Part)
 Bath Lane
 Bedford Place
 Beechfield Gardens (part)
 Bond Street Court
 Bridge Street
 Britannia Gardens
 Broad Street
 Capella Close
 Castlefields
 Chambers Court
 Chancery Court (part)
 Chapel Lane
 Church Gate (part)
 Church Street (part)
 Commercial Road (part)
 Crackpool Lane
 Cross Street (part)
 Double Street
 Drapers Place
 Eaton Gardens
 Forge Close
 Foundry Lane
 Francis Street
 Georgian Court (part)
 Glenn Avenue
 Gore Lane
 Green Lane (part)
 Hall Place
 Haverfield Road
 Henrietta Street
 Hereward Road (part)
 Herring Lane
 High Street
 Hole in the wall Passage
 Holland Market
 Holland Road (part)

Jubilee Close
 Kings Road
 Knipe Avenue
 Laws Close (part)
 London Road (part)
 Market Place
 McLaren Gardens
 New Road
 Paddock Green
 Park Road (part)
 Patriot Close
 Pennygate (part)
 Pied Calf Yard
 Pinchbeck road (part)
 Priory Road
 Red Lion Street
 Sandtone Gardens
 Sheep Market
 Short Street
 Spring Gardens
 Spring Street
 St Johns Road
 St Thomas Road (part)
 Station Approach
 Station Street
 Swan Street
 The Crescent
 The Green
 The Vista
 Thistle Gardens
 Tollgate (part)
 Truro Way
 Victoria Mews
 Victoria Street
 Victory Court
 Vine Street
 Walters Close
 West Parade (part)
 Westlode Street
 Willow Walk (part)
 Winfrey Avenue
 Winsover Road (part)

APPENDIX C – BID Levy Rules

1. The BID Regulations of 2004 (as amended), approved by the Government, sets out the legal framework within which BIDs will have to operate, including the way in which the levy is charged and collected, and how the ballot is conducted.

2. The BID levy rate or boundary area cannot be increased without a full alteration ballot (except in the case of the annual rate of inflation using CPI). This will be at the discretion of the Board and if applied will be done so only at the beginning of each annual charging period). However, if the BID Company wishes to decrease the levy rate or change the following,

- Type of BID Projects Undertaken
- Allocations and budgets for BID projects and between project headings
- Project Timescales
- BID Administration & Overhead Costs
- BID Governance & Management

during this term, it will do so through a consultation, which will, as a minimum, require it to write to all existing BID levy payers. If more than 25% object in writing, then the proposed course of action or changes will not proceed. The BID Directors, through the above consultation and then through majority voting (of Directors) will be able to make the changes.

3. The BID Levy will be calculated based on the Rateable Value of the hereditament on the chargeable date of 1st September in the first BID year, thereafter 1st April each year. Changes to Rateable Value after the chargeable date will come into effect from the start of the next chargeable date. There will be no in-year changes to Rateable Value or the BID Levy liability.

4. The BID Levy will be payable in full, in a single instalment within 14 days of the date on the BID Levy bill.

5. The BID Levy will be applied to all liable business ratepayers within the defined area with a rateable value of £2,500 and over. The following categories will be eligible:

Advertising Right And Premises, Amusement Arcade And Premises, Badminton Hall And Premises, Bank And Premises, Beauty Salon, Beauty Salon And Premises, Betting, Shop And Premises, Bowling Alley And Premises, Bus Station And Premises, Cafe And Premises, Car Park, Car Park And Premises, Chiropodists And Premises, Clubs & Premises, Clubhouse & Premises, Clinic And Premises, Communication Station And Premises, Day Nursery And Premises, Escape Rooms And Premises, Funeral Parlour & Premises, Guest House And Premises, Gym And Premises, Hairdressing Salon And Premises, Hotel And Premises, Kiosk And Premises, Launderette And Premises, Library And Premises, Market And Premises, Museum And Premises, Office, Office And Premises, Offices, Offices for Wedding Ceremony Only & Premises, Offices, Training Rooms & Premises, Playing Field And Premises, Public Convenience, Public Conveniences (part exempt), Public House And Premises, Restaurant And Premises, Retail/Beauty Treatment & Education, Retail Warehouse And Premises, Salon And Premises, Shop, Shop And Premises, Shop,

Workroom & Premises, Showroom And Premises, Sports Centre & Premises, Sports Therapy And Massage Clinic, Studio And Premises, Superstore And Premises, Surgery And Premises, Swimming Pool And Premises, Theatre And Premises, Veterinary Surgery And Premises, Youth Club And Premises

6. The following exemptions to the BID Levy apply, subject to case-by-case assessment and decision by the BID Company in line with set application and verification process:

- Non-retail charities with no paid staff, trading arm, income or facilities
- Not-for-profit subscription and entirely volunteer-based organisations

7. The minimum levy amount or equivalent financial contribution payable will be £50 pa (except in the case of apportionment)

8. New Properties

- The BID Levy will not apply from the effective date of entry into the rating list, it will only apply from the next chargeable date (1st April).
- No adjustment in year for any subsequent changes to Rateable Value (even if relates to a successful appeal which demonstrates the original RV was wrong, or it relates to a delayed action or correction by the VOA).

9. Splits/Mergers

- When a property is split, the BID Levy on the 'parent' property will cease on the effective date of the split and the charge apportioned on a daily basis up to that date.
- All 'Child' properties (with a property description detailed in the list categories in the BID proposal document) will be charged from the effective date of the split on a daily basis until the end of that financial year. Thereafter for full financial years from the next chargeable date (1st April).
- When properties are merged, the BID Levy on the 'parent' properties will cease on the effective date of the merge and the charge apportioned on a daily basis up to that date.
- The 'Child' property (with a property description detailed in the list categories in the BID proposal document) will be charged from the effective date of the merge on a daily basis until the end of that financial year. Thereafter for full financial years from the next chargeable date (1st April).

10. Deleted Properties

- When a property is deleted, the BID Levy ceases from the date of the deletion and the charge is apportioned on a daily basis up to that date.

11. Changes to property description

- There will be no amendment to the BID Levy when a property description is changed by the Valuation Office Agency until the next chargeable date (1st April).
- If the property description is changed to a property description which is not detailed in the list categories in the BID proposal document, the property will be removed from the BID Levy from the next chargeable date (1st April)

- If the property description is changed to a property description which is detailed in the list categories in the BID proposal document, the property will be added to the BID Levy from the next chargeable date (1st April)

12. Backdated Rateable Value Amendments

- The BID Levy will be calculated on the Rateable Value as at 1 April (or from start date of the BID in its first year). There will be no amendment to the BID Levy for previous years in the event of any backdated Rateable Value changes (even where they relate to a successful appeal which demonstrates the original Rateable Value was incorrect or relate to delayed action or correction by the Valuation Office Agency).
- Any changes to the Rateable Value will only become effective from the next chargeable date.

13. Refunds

- Credit balances generated through split/merger cases on ceased accounts ('parent' property) and that BID Levy payer is liable for one of the new accounts ('child' property) the credit balance will be transferred to clear/reduce the BID Levy on the new account. Refunds will be available where payment is made by an organisation which the BID Company subsequently determines is exempt in line with its criteria.
- Where a credit balance is left on the closed account ('parent' property) and cannot be transferred that credit balance will be refunded to the BID Levy payer.
- Credit balances created through overpayment (including duplicate payment, or as a result of apportionment of liability due to vacation) will be refunded to the BID Levy payer.
- If the BID Levy payer has any other BID Levy liability the credit may be transferred to reduce/clear the balance on the other BID Levy account.
- Refunds to Charities/Non-Profit organisations who will be required to pay the BID Levy until the BID Company has verified eligibility for exemption.

14. The BID Levy will be apportioned when a BID Levy Payer vacates a property or their responsibility for a property ends. The BID Levy will transfer to the new party from the date their responsibility commences. The property owner, or the registered payer of NNDR, will be liable for any periods between.

15. Empty properties, those undergoing refurbishment or being demolished will be liable for the BID levy via the registered business ratepayer with no void period.

16. The BID levy will not be affected by the small business rate relief scheme, exemptions, relief, or discounts prescribed in the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 made under the Local Government Finance Act 1988.

17. VAT will not be charged on the BID levy.

18. The billing body is authorised to collect the BID levy on behalf of the BID Company.

19. The levy income will be kept in a separate ring-fenced account and transferred to the BID monthly.

20. Collection and enforcement arrangements will be like those for the collection and enforcement of non-domestic business rates. The Billing Authority will be ultimately responsible for any debt write off decision, and will have arrangements to inform the BID Company of values written off. The BID Company will make provision for bad debt. The BID area and the levy rate cannot be increased without a further ballot.

21. The levy rate or boundary area cannot be increased without a full alteration ballot. However, if the BID Company wishes to decrease the levy rate during the period, it will do so through a consultation, which will, as a minimum, require it to write to all existing BID levy payers. If more than 25% object in writing, then this course of action will not proceed.
22. The BID Board will meet at least six times a year. Every levy paying business or equivalent financial contributor will be eligible to be a member of the BID Company and attend General Meetings.
23. The BID Company will produce a set of annual accounts available to all company members.
24. The BID will commence on 01 September 2024 and will last for five years. At the end of five years a ballot must be held if businesses wish the BID to continue.

