

Report

Report to:	Community and Enterprise Resources Committee
Date of Meeting:	7 November 2023
Report by:	Executive Director (Community and Enterprise Resources)

Subject:	Discover Lanark Business Improvement District - Renewal Ballot
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ request approval to support the business proposal prepared by the Discover Lanark Business Improvement District (BID), for the period 1 September 2024 to 31 August 2029, and associated Council support

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that support for the BID to deliver the objectives of the business proposal prepared by Discover Lanark, as set out in the BID Business Plan attached at Appendix 1 of the report, be approved; and
- (2) that it be approved that the Council continues to actively support the BID through the range of measures as set out at section 4 of the report.

3. Background

- 3.1. The Executive Committee approved the Council's support for the creation of a Business Improvement District (BID) for Lanark on 19 December 2018. Discover Lanark represent the businesses in a defined area of the town and delivers a series of initiatives set out in their Business Plan. The BID is established through a ballot process and, if successful, remains in place for a period of 5 years. The BID is funded by a levy from the businesses they represent which is collected on their behalf by the Council.
- 3.2. Following a successful ballot on 28 February 2019, a BID company was established and has gone on to deliver a variety of projects and initiatives in partnership with the Council. These include the Christmas Lights Switch On, Jurassic Lanark, Classic Car Event, Lanark Winter Wonderland, The Space @ Hyndford Place, Wellgate Light Ceiling, markets and themes events and a variety of business initiatives. The BID now seeks renewal through the ballot process and if successful this will grant them a second term until 31 August 2029.
- 3.3. During the current BID period, the Council has been carrying out its statutory obligations to collect the BID levy from eligible businesses. The transfer of monies raised through the levy to the BID company is regulated by the statutory instruments regulating BIDs in Scotland. Alongside the statutory legal guidance, an Operating Agreement is in place which deals with the practicalities of the process. This agreement satisfies the

requirements of the Council and its statutory obligations whilst providing a suitable mechanism for the BID.

- 3.4. The current 5-year term of the BID operation comes to an end on 31 August 2024. Under BID legislation the BID must hold a ballot to all members to establish whether they wish to renew the BID arrangements for a further 5 years or wind the BID company up.
- 3.5. The BID Business Plan for the period 1 September 2024 to 31 August 2029, is attached at Appendix 1 to the report. The plan sets out the BID's proposed projects, the BID area and the levy that will be payable by the businesses affected. The Council has an important role in supporting and working alongside the BID company to ensure that projects and initiatives are complementary and benefit the town.

4. Proposals

- 4.1. It is proposed that the Council continues to provide the following support to the BID:-

- ◆ votes in favour of the BID in the ballot for each of the Council properties in the area.
- ◆ continues to provide officer support in terms of a named liaison officer to coordinate all Council activity with the BID.
- ◆ manages the ballot process in line with the appropriate statutory instruments.
- ◆ continues to collect BID levy on behalf of the BID. The Council will not seek to recover the cost of collecting the BID levy or recovering arrears from the BID company; and
- ◆ provides representation on the BID Board through two elected members. The appointment of members will be subject to a future report to the Executive Committee depending on the outcome of the ballot.

- 4.2. By supporting the BID in this way, the Council will provide financial and organisational stability to the BID giving it the greatest prospect of successfully delivering its objectives to the mutual benefit of Lanark's businesses and the wider community.

5. Employee Implications

- 5.1. Enterprise and Sustainable Development Services will continue to be the principal point of contact with the BID and liaise on the day-to-day business from within existing staff resources.
- 5.2. Finance and Corporate Resources will continue to manage the collection and onward payment of the levy through the non-domestic rates system from within existing staff resources.
- 5.3. Finance and Corporate Resources will manage and carry out the ballot process from within existing staff resources.

6. Financial Implications

- 6.1. Any non-payment of the statutory levy will be dealt with under the existing procedures for managing debt within the Council. The level of bad debt provision will be kept under review with the BID company advised periodically on collection levels. The BID company has a provision for a non-payment in its business plan.
- 6.2. The IT collection system has a maintenance cost of £2,000 per annum. Funding for this has been identified from existing Community and Enterprise Resources' budgets.

7. Climate Change, Sustainability and Environmental Implications

- 7.1. The activity of the BID supports the delivery of 20-minute neighbourhoods which will in turn support the Council's targets under climate change and sustainability.

8. Other Implications

- 8.1. The risks associated with not supporting the proposal is that the BID company will be in a poorer financial position and have greater risk of failure in delivering the Business Plan. The support to Lanark Town Centre could be lost, leading to potentially further decline and increased calls for the Council's intervention and investment. The Council's reputation could also be damaged if it is not seen to actively support and encourage business initiatives and investments in Lanark Town Centre at a time of economic difficulty.

9. Equality Impact Assessment and Consultation Arrangements

- 9.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no Impact Assessment is required.
- 9.2. Extensive consultations have been co-ordinated by Enterprise and Sustainable Development Services with a range of Council Services who have an ongoing role in delivering services and initiatives in our town centres. This consultation and co-operation will continue throughout the duration of the BID.

David Booth

Executive Director (Community and Enterprise Resources)

18 October 2023

Links to Council Values/Priorities/Outcomes

- ◆ Accountable, Effective, Efficient and Transparent
- ◆ Fair, open and sustainable
- ◆ Ambitious, self-aware and improving
- ◆ We will work to recover, progress and improve

Previous References

- ◆ Executive Committee - 19 December 2018 – Lanark Business Improvement District (BID)

List of background papers

- ◆ Business Improvement District proposal

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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