

Report

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Report to:	Community and Enterprise Resources Committee
Date of Meeting:	8 August 2017
Report by:	Executive Director (Community and Enterprise Resources)

Subject:	Hamilton Town Centre Business Improvement District (BID)
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ advise on action taken, in terms of Standing Order No. 36(c) because of the timescales involved, by the Executive Director (Community and Enterprise Resources), in consultation with the Chair and an ex officio member, to approve the business proposal prepared by the Hamilton Business Improvement District (BID) for the period 1 November 2017 to 31 October 2022 and associated Council support due to the need to have a decision on or before the 27 July 2017.

2. Recommendation(s)

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

- (1) that the following action taken, in terms of Standing Order No. 36(c), by the Executive Director (Community and Enterprise Resources), in consultation with the Chair and ex officio member, be noted:-
- ◆ that the Council agree to work with the BID to deliver the objectives of the business proposal prepared by the Hamilton BID for Hamilton Town Centre, as set out in the executive summary attached at Appendix 1 to the report.
 - ◆ that the Council actively supports the BID through the range of measures set out in section 4 of this report.

3. Background

3.1. A Business Improvement District (BID) is a business led partnership that brings businesses together to work and invest collectively in local improvements that will be of benefit to the businesses involved whilst contributing to the wider aspirations of the local residential community and growing the local economy. By working together, businesses can reduce costs, share risks and create new platforms for growth and agree to invest collectively in projects and services that the businesses consider will improve their trading environment. BID projects are new and additional projects and services, they do not replace services that are already provided by South Lanarkshire Council and other statutory bodies.

- 3.2. BIDS are developed, managed and paid for by the non-domestic sector by means of a compulsory levy, which the eligible persons in the proposed BID area must vote in favour of before the BID can be established. Each eligible person/business liable to pay the BID levy will be able to vote on whether or not the BID goes ahead.
- 3.3. Hamilton BID represents the businesses in a defined area of the town centre 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.
- 3.4. The initial term is coming to an end and the BID will seek renewal through a ballot to be issued end August 2017, decision 5 October 2017. The BID is funded by a levy from the businesses they represent which is collected on their behalf by the Council.
- 3.5. The Enterprise Resources Committee of 15 June 2011 and the Enterprise Services Committee of 19 June 2012 approved the Council's support for the creation of a Business Improvement District (BID) for Hamilton Town Centre. Funding to assist in the creation of the BID and the costs associated with taking the proposal to a ballot of local businesses was also authorised.
- 3.6. Following a successful ballot on 12 October 2012, 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, Ready Steady Gallop, the Big Stampede, Classic Car Event, "Spring into Hamilton" Event, Real Radio Campaigns and a variety of business initiatives that support the town centre.
- 3.7. During this period the Council has been carrying out its statutory obligations to collect the BID Levy from participating 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.
- 3.8. The current 5 year term of the BID operation comes to an end on 22 October 2017. 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 (in line with the business proposal detailed in appendix 1) or wind the BID company up.
- 3.9. The BID Business Proposal (1 November 2017 to 31 October 2022) is attached at appendix 1. The Proposal sets out the BID's proposed projects, the BID area and the levy that will be payable by the businesses affected. The Council has a role in supporting and working alongside the BID company to ensure that projects and initiatives are complementary and benefit the town centre.
- 3.10. The aims and objectives of the BID are complementary to the Council's town centre objectives. On completion of the renewal process a report on BID activity for the initial term will be produced for the Committee detailing their actions and in turn how this will support the Council's proposed actions to support the town centre.

4. Council's Position

- 4.1. Whilst recognising the issues affecting town centres generally, and Hamilton specifically, it is considered that the existence of the BID and its related activities has supported the town centre to address these challenges. On this basis, it is

considered that the Council should continue to support the BID and in turn it is proposed that the Council continues to provide the following assistance to the BID:

- ◆ Votes in favour of the BID in the ballot for each of the Council properties in the area.
- ◆ Continue to make the existing Palace Grounds service charge money, totalling £44,000, available to the BID. This is on the basis that the BID will continue to deliver a range of events to promote Hamilton town centre and enhance these through additional BID core funding. Economic Development Services staff will continue to take an active role in the organisation and running of these events.
- ◆ Continue to provide office accommodation for the BID team in Brandon Gate, or such other suitable premises, over the period of the BID. The Head of Property Services, in consultation with the Head of Administration and Legal Services, be authorised to conclude such legal agreements as necessary to continue to formalise this arrangement. This arrangement will be at no cost to the BID company.
- ◆ Continue to provide officer support in terms of a named liaison officer to coordinate all Council activity with the BID along with specific input to marketing and event strategies.
- ◆ Manage the ballot process in line with the appropriate statutory instruments.
- ◆ Continue 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.
- ◆ Provide representation on the BID Board through two Elected Members.

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 Hamilton's businesses and the wider community.

5. Employee Implications

5.1. Economic Development Services will continue to be the principle 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. Funding will be made available to the BID through existing Palace Grounds Service Charge resources totalling £44,000 per annum, in line with the recommendations at section 4 of this report.

6.2. 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.

6.3. 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 Other Implications

- 7.1. 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 Hamilton Town Centre could be lost leading to a loss of activity in the town centre 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 Hamilton Town Centre.
- 7.2. There are no issues in terms of sustainability arising from the recommendations made in this report.

8. Quality Impact Assessment and Consultation Arrangements

- 8.1. 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.
- 8.2. Consultations have been co-ordinated by Economic Development Services with a range of other 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.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

3 July 2017

Links to Council Objective/Values

- ◆ Improve the quality of the physical environment.
- ◆ Support the local economy by promoting the right conditions for growth, improving skills and employability.
- ◆ Partnership working, community leadership and engagement.

Previous References

- ◆ Enterprise Services Committee 19 June 2012, Hamilton Town Centre Business Improvement District (BID).
- ◆ Enterprise Resources Committee 15 June 2011, Hamilton Town Centre 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:- Iain Ross, Property Development, Regeneration Services

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**Hamilton Our Town
Town Centre
BUSINESS IMPROVEMENT DISTRICT**

**Business Proposal
6/7/2017**

1 November 2017 to 31 October 2022

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Appendix 8	Operating Agreement	TBC

BID Proposal Compliance with Legislation

In accordance with Business Improvement District (Scotland) legislation we acknowledge, as the BID Proposer, we must submit to South Lanarkshire Council and Scottish Ministers the following in respect of BID Proposals, Renewal Proposals and Alteration Proposals:

1.0 A document which demonstrates a cross section of at least 5% of the electorate, within the BID area supports the BID Proposals.

Appendix 1 details evidence of positive commitments towards the BID objectives from 20 businesses. This represents a 5.30% support from the BID area's 377 businesses.

2.0 Summary of the consultation Town BID has undertaken with those eligible to vote.

The BID Board of Directors oversaw the process of consultation with the businesses and issued a series of newsletters (**appendix 2**). A detailed questionnaire (**appendix2**) was distributed to all eligible businesses within the Hamilton BID area. Hamilton BID also distributed the questionnaire via Survey Monkey and the system was used to analyse the results. The directors also used the detailed feedback from over 4000 contributors to the town wide consultation carried out by Angela Crawley MP and Christina McKelvie MSP. Additional guidance was supplied through analysis of an extensive research project on behalf of Hamilton BID Ltd and the Regent shopping Centre by Card Group (2015). As a result of this analysis, the BID has been able to formulate a series of ambitious projects and services which the businesses will vote on.

Please refer to Appendix 2 (Details of Consultation) and Section 7.0 The Consultation Process on page 17 of this Proposal for a summary of the consultation.

3.0 The Proposed Business Plan

A copy of the BID Business Plan which will be issued to all of the BID electorate is provided with this Proposal document – Please refer to Appendix 3 (BID Business Plan).

4.0 The Financial Arrangements of the BID body.

Please refer to Section 13.2 Financial Management Arrangements on page 30 of this Proposal.

5.0 The Arrangements for periodically providing the LA and billing body with information on the finances of the BID body (i.e. after a successful ballot)

The BID finances will form an integral part of a quarterly report which will be discussed at Board Meetings. Two representatives from South Lanarkshire Council will sit on the BID Board and will automatically be provided with the BID finance details. It is proposed that a minimum of two finance subgroup meeting will be held each year. An annual audit of the BID finances will also take place through an independent Auditor. Regular meetings will be held with South Lanarkshire Council

6.0 The names and addresses of all those eligible to vote and a description (address) of each relevant property.

Please refer to Appendix 4 (Database).

7.0 A notice in writing requesting that the local authority hold the ballot.

In accordance with legislation, the attached letter – **Appendix 5** will be issued to the South Lanarkshire Council by Mark Calpin, Chair of the Hamilton BID on 10 August 2017

8.0 Provide the LA and billing body with such information as they shall reasonably require satisfying themselves that the BID Proposer or, as the case may be, the BID body has sufficient funds to meet the costs of the BID ballot.

South Lanarkshire Council have committed to cover the cost of conducting the ballot in 2017. Hamilton BID will pay for postage costs.

9.0 A statement of the works or services to be provided, the name of the person responsible or body for the implementation (delivery) of these works and services and the status of such person/s; both on and after the date the BID Proposals come into effect.

Please refer to Appendix 3 (BID Business Plan) for the proposed works and services.

On a successful ballot outcome, the existing BID Company Hamilton BID Ltd will continue to manage the work of the BID. The business will continue to be run by directors elected from the eligible persons (the levy payers), limited to one eligible person from each eligible property. All eligible persons will have the opportunity to nominate themselves to serve as a director of the company. They will oversee and direct the delivery of all the projects and services, see full details in section 6.3 Management of the BID on page 17 of this Proposal. They will recruit staff to deliver the day-to-day BID projects and services. Nominations of directors from outside of the BID, who do not pay the levy and who may or may not represent those making voluntary or other financial contributions towards the BID, will be strictly at the discretion of the Board of Directors.

BID Manager – Gareth Walker will be responsible on a day-to-day basis for implementing the BID projects and services. The BID Board will oversee and direct the delivery of all the projects and services.

10.0 A statement of existing baseline services provided by the local authority, police and other agencies.

Please refer to Appendix 6 (Baseline Services).

11.0 A precise description of the geographical area of the BID, including a map which defines exactly the boundaries of the BID area.

See map and list of streets in the BID area on page 14 and 15 of the BID Proposal.

12.0 A statement providing details of any additional financial contributions, or additional actions for the purpose of enabling the projects specified in the BID Proposals, i.e. where a BID project is expected to cost £X and the proposed levy raises a smaller amount £Y then the BID Proposals must state how that funding gap £X - £Y s to be met and by whom.

The BID Project Income and Expenditure (see page 30) has been calculated to deliver all the projects as defined in the Proposed Projects section of the Proposal, without the requirement for additional financial contributions. It is expected that the BID will attract additional funding from other sources out with the levy, however this has not been allowed for at this stage. This additional funding will be used to support ambitious projects in partnership with the local authority.

South Lanarkshire Council have agreed to additional financial contributions to the BID for year 1 to 5 as detailed in section 13.3.

13.0 A statement of which aspects of the BID Proposals and or Business Plan may be altered without the need for an alteration ballot to be undertaken.

The BID Board of Directors will have the authority to adapt or alter the projects and services from year to year to reflect any change in economic circumstances or any new opportunities that may arise. This will be in the best interests of the levy payers and without recourse to an alteration ballot.

Please refer to section 6.3 Management of the BID on page 17 of this Proposal for the statement.

14.0 A statement of the proposed start and end dates of the BID Arrangements and the term of the BID. The BID arrangements must commence no later than a year after the date of the statement.

Following a positive ballot on 5 October 2017, the Hamilton BID will commence its activities on 1 November 2017. As the Hamilton BID, will be for a term of five years, it will cease its activities on 31 October 2022.

15.0 BID Proposals shall specify the apportionment of BID levy in respect of relevant properties and who will be liable to pay the levy: - proprietors, tenants, occupiers or if appropriate a specific business sector or sectors or businesses who will participate. It is advisable to include caps, thresholds, or other arrangements reflecting local circumstances or ability to pay.

The BID improvement levy will be paid by the occupier (the eligible person liable to pay the non-domestic rate), however, the property owner will be liable to pay the levy where a property is vacant or empty on the day the levy invoice is issued and for all the period thereafter when the property is vacant.

Please refer to Section 9 The BID Levy on page 21 of this Proposal for full details of the BID Levy.

16.0 Confirmation that the levy is to be calculated as a % of the RV or how the charge was arrived at.

It has been agreed by the BID Board of Directors (meeting minute dated 23 May 2017 - Appendix 7) that the levy rate will be a fee structure based on the rateable value of the property on the day of the ballot (24 August 2017) and throughout the 5-year term of the BID. Please refer to Appendix 8 (Operating Agreement) and Section 9 The BID Levy on page 21 of this Proposal for full details of how the charge was arrived at and details of the BID Levy.

The BID Board of Directors agreed that the levy would be applied to properties with a Rateable value of £3000 and above. Various band levels have been applied with a maximum banding at £500,000 plus. Properties with Rateable values over £500,000 will be capped at £6,000.

17.0 Confirmation that the % levy or fee is to be calculated on the RV of the property on the date of the ballot or, if not, another date that is the date, which will be used to calculate the levy or fee over the term of the BID.

The fee structure is based on the rateable value of the property on the day of the ballot (24 August 2017)

Please Refer to Section 9 The BID Levy on pages 21 of this Proposal for full details of the BID Levy.

18.0 The apportionment of the levy between proprietors, tenants and occupiers – providing the BID is including tenants and proprietors in its proposals.

The BID Proposal does not include proprietors (property owners) except where the eligible property is vacant or empty when the property owner will be liable for the payment of the levy.

The occupier (the eligible person liable to pay the non-domestic rate) will be liable for the payment of the levy.

Please Refer to Section 9 The BID Levy on page 21 of this Proposal for full details of the BID Levy.

19.0 A statement as to how the Board of Directors arrived at who will pay the levy, the percentage levy and how the levy will be split between proprietors, tenants and occupiers.

The BID Board of Directors set the levy fee; the streets included in the BID and voted on who will pay the levy. A copy of the minutes of the meeting (24.8.17) at which this was decided is attached as Appendix 9. The geographic boundary is based on Hamilton town centre area. The levy amount is based on the amount required to carry out the projects in the business plan and discussions with businesses on what they believe is reasonable. The levy will be paid by the occupier (the eligible person liable to pay the non-domestic rate).

The decision to adopt the levy table and BID area was taken with the agreement of all of the members of the Board of Directors. Please refer to Appendix 9 (Board of Directors Minutes) and Appendix 7 (Board of Directors Agreement.)

Please also refer to Section 9 The BID levy on page 21 of this Proposal for full details of the BID Levy.

20.0 Whether any future re-assessment of RV of the property by the Rates Assessor will or will not be taken into account in the calculation of the levy

It has been agreed by the Hamilton BID Ltd directors that the levy will be calculated on the Rateable Valuation of the properties in the BID area at 24 August 2017 and will not change during the 5-year term of the BID. Appeals against the new valuations which result in a higher or lower assessment (rateable valuation) will result in a recalculation of the levy due. For clarity, 24 August 2017 will be the date at which the rateable valuations (2017 assessment) will be assigned for the duration of the BID. However split or merged properties, with new rateable valuations will be allocated a levy at the appropriate levy rate.

21.0 A statement on why groups or individual businesses are exempt or receive a levy discount

Please refer to Section 9.2 Exclusions on page 22 of this Proposal for full details of all exemptions to the levy. The Board of Directors agreed (please refer to Appendix 7 Board of Directors Agreement and Board of Directors Minutes Appendix 9) that the properties exempted would receive insufficient benefit from the BID projects and services.

The Board of Directors agreed that office based non-retail charitable organisations with a rateable value below £16,500 would be exempt. It is also agreed to exclude Foodbanks from the levy. (A place where stocks of food, typically basic provisions and non-perishable items, are supplied free of charge to people in need.)

For clarity, the Board of directors agreed to give an exemption to foodbanks within the levy area

22.0 A statement on whether the levy will be index linked.

The Board of Directors decided that the levy would not be indexed linked during the period of the BID. The levy applied to each property would remain the same for the duration of the five-year period.

23.0 A statement on whether any of the costs incurred in developing the BID Proposals, holding of the ballot or implementing the BID arrangements are to be recovered through the BID levy.

All costs incurred in the development of the BID proposals and implementation of the BID arrangement will be covered Hamilton BID Ltd. The costs of holding the ballot will be covered by South Lanarkshire Council.

24.0 The constitution of the BID Company to be formed and its legal status. A statement on who will administer the BID, details regarding the BID board and the BID body and those who drew up BID Proposals and Business Plan.

Please refer to section 6.3 Management of the BID on page 17 of this proposal for details on how the future BID Company will be formed and administered.

The BID Company, Hamilton BID Ltd is a not for profit limited liability company and that is administered by the Board of Directors who are drawn from the eligible persons (liable to pay the levy) but restricted to one eligible person per eligible property. The Company will be managed by the existing Board until a new Board of Directors is elected, but for no longer than three months after the ballot date. Nominations of directors from outside of the BID, who do not pay the levy and who may or may not represent those making voluntary or other financial contributions toward the BID, will be strictly at the discretion of the Board of Directors. The projects will be delivered by the BID team recruited by the Board of Directors. For full details please refer to Section 6.3 Management of the BID on page 17 of this Proposal document. Gareth Walker BID Manager prepared the BID Proposals and Business Plan in full consultation and support from the Hamilton BID Board of Directors

25.0 The methodology for BID levy payers to nominate themselves or others to the BID Board of Directors and the proposed make-up of the BID Board.

Every eligible person that pays the levy will have the opportunity to nominate themselves or someone else from within the BID area to be elected onto the new Company Board. Directors will be limited to one eligible person per eligible property. Nominations of directors from outside of the BID, who do not pay the levy and who may or may not represent those making voluntary or other financial contributions toward the BID, will be strictly at the discretion of the Board of Directors

Please refer to section 6.3 Management of the BID on page 17 of this Proposal for full details on how levy payers can participate on the future Town Company Board of Directors.

26.0 A statement on how the BID Proposals will be publicised prior to the ballot.

The BID Proposer will send a copy of the BID Business Plan to all persons eligible to vote on the Proposals. Should any eligible person require a copy of the BID Proposal, a copy will be provided on request. The Proposal and Business Plan will also feature prominently on the Hamilton BID website at www.hamiltonourtown.org

1.0 Foreword by BID Board of Directors Chair

Mark Calpin

Thank you for your interest in future of Hamilton and our business plan for the next BID. The next five years will be an interesting, exciting and yes, a challenging time for the town.

It is the aim of the BID that we improve the appeal and attractiveness of the town centre. This will be achieved through the efforts of all of us –the people of Hamilton, including its business owners, those who work in the town, those that visit the town, and those organisations with involvement and connections with the town.

Town centres across the country have changed, and will continue to change in all sorts of ways, for a whole manner of widely known reasons. Rather than reflect and regret, let us take this excellent opportunity to evolve and engage – to evolve the town to make it an appealing place for people to come to, to shop, visit and enjoy themselves. Let us engage with everyone, so that they feel the genuine warm, inviting appeal of the town whether they come to the town as a customer, as a resident, as a worker, as a visitor. Whatever the reason, everyone should be made to feel that there is something in the town for them and through everyone working together we will be able to achieve this.

Let me be clear that there are some areas where the BID has not yet been able to get resolved. Now many, if not all, of these items, like car parking, are out with the control of the BID. However, it does not stop us from working to get the situations improved and resolved to be the very best solution it can be. In the BID we act responsibly yes, but we are not constrained in the way public bodies may be in getting actions delivered, so where we have items still to be resolved, they are very much on our To Do list and we will keep at them until we get there.

Why another BID? Well, simply put, there is still much needing to be done for Hamilton and the plain reality is that it is only the BID that is here to bring investment into the town, to listen to business owners, to workers in the town, to shoppers in the town, to residents. It is only the BID that is able to work as a liaison between businesses and the council, positioning us in a great place to make

known the needs and wants of your business. I'm not saying that everything we ask for we get, but we do ask and we do know that our central, core purpose is always to make the town better.

Throughout this business plan we outline the plans that we have for the next term of the BID. There is nothing like a different perspective, so I would be grateful if, as you read through it, and come up with your thoughts and ideas, you are able to share them with me to allow us to do things, to take action, to work and make changes that will improve Hamilton for everyone.

Mark Calpin

Director, Hamilton BID

2.0 Executive Summary

2.1 Mission Statement of the Hamilton Town Centre BID

Hamilton BID – Your local approach to business.

To establish Hamilton as a thriving, vibrant and attractive town centre where customers will want to visit and where businesses will want to invest.

2.2 Aims and Objectives of the Hamilton Town Centre BID

The principle aim of the BID is to deliver projects and services that will improve the trading environment of the BID area to benefit businesses, their customers and visitors.

The objectives of the BID are:

- To improve the economic opportunities for the businesses in the town centre
- To increase footfall
- To make the BID “cost neutral” for each business
- To address the issues of individual sectors
- To improve businesses relationships with each other, the local authority and the community
- To market the town to a local, regional, national and international audience
- To give businesses a strong, unified voice
- To support local voluntary groups whose aims align with the BID

2.3 Key Findings

The BID Board of Directors has overseen considerable research to discover what the businesses of Hamilton would like a BID to deliver. The research established the need for a BID and confirms that the following key aspects have been completed to deliver a successful ballot and a successful BID.

- Local need for a BID is strongly identified.
- The BID area is logical and clearly defined.
- Support of the Local Authority at both officer and political level.
- Support of Police Scotland.
- Support of Historic Scotland.
- The BID levy with local authority support in year one is sufficient to deliver the projects in the business plan.

3.0 Introduction

3.1 What is a Business Improvement District (BID)?

A Business Improvement District (BID) is a geographically defined area, where businesses come together and agree to invest collectively in projects and services that the businesses believe will improve their trading environment. BID projects are new and additional projects and services; they do not replace services that are already provided by South Lanarkshire Council and other statutory bodies.

BIDs are developed, managed and paid for by the non-domestic sector by means of a compulsory levy, which the eligible persons in the proposed BID area must vote in favour of before the BID can be established. Each eligible person liable to pay the BID levy will be able to vote on whether or not the BID goes ahead.

Within this document business or businesses refers to those properties liable to pay the non-domestic rate, whether they pay rates or not.

3.2 Background to BIDs

BIDs first started in Bloor West Village, Toronto, Canada nearly 40 years ago, by the Town's business community. The Town's businesses were increasingly under pressure from the new shopping centres that were being developed on the outskirts of the Town, diverting shoppers away from the traditional Town centre out to the new shopping malls. As a result, some businesses were forced to cease trading and the Town started to look tired and neglected.

To stop the haemorrhage of deserting shoppers, local businesses fought back to revitalise the Town. They successfully lobbied for legislation for all the businesses in the proposed BID area to pay a levy. The levy money was used to improve the physical appearance of the Town, and then promote the Town centre as a vibrant, attractive and safe place to work shop and live. The strategy paid off, as shoppers started to return to the Town centre in large numbers.

The success of the Bloor West Village BID paved the way for future BIDs, not only in Toronto; but spreading throughout Canada, and the USA in the late 1960's and 1970's. Today there are over 1700 successful BIDs worldwide.

An additional measure of BIDs success is in the renewal process. Most BIDs run for a period of five years and approximately 99% of businesses vote in favour of continuing the BID when they come up for renewal.

Their popularity has grown with over 27 active BIDs' in the UK. Scotland now has 37 operational BIDs' with a further 22 in development. So far there have been 12 renewal ballots – all of which have been successful, BIDs are being adopted by businesses across Scotland as they recognise the value in working and investing together in the face of challenging trading conditions whilst benefitting together from the opportunities that can arise from local collaboration.

In Scotland, all of the BIDs that have been to renewal ballot have been successful demonstrating that the businesses value the projects and services delivered by the BIDs. BIDs can support regeneration, grow local economies, create local employment and create a cleaner, safer trading environment. A key element to their success is that the local businesses take ownership and responsibility for their trading environment, identifying the projects necessary to resolve common problems and issues, and overseeing their implementation, whilst also contributing to the future direction of the town and its future development.

BID legislation was passed in Scotland in 2006 with the Scottish Government funding 6 pilot projects in March 2006. The Scottish Government fully supports the development of BIDs in Scotland.

4.0 Hamilton 's Position

4.1 Why does Hamilton need a BID?

If we do nothing, then nothing will be done.

In common with many town centres across the UK Hamilton continues to face its challenges. Declining footfall in the face of the ever-increasing influence from internet shopping and the focus of many national retail brands into the regional and out of town shopping centre has impacted on the town centre. Since the BID's formation in 2012, the town has suffered from national closure such as BHS and Internationale and the loss of brands such as Dorothy Perkins, Burtons and Evans. The closure of Bairds in 2014 also had a serious impact on the town.

With the financial constraints impacting on South Lanarkshire Council, over the last five years, it is more important now than ever that funds are available to promote the economic wellbeing of the town. A successful renewal -ballot for Hamilton BID will also give an opportunity to obtain funding from both public and private sector sources for the town. Over the last 5 yrs., Hamilton BID has generated close to £230,000 of investment in the town over and above that committed via the levy or from the local authority.

The BID levy provides the town and its businesses with additional events and services that will disappear should the BID be rejected.

The aim of the BID is to create a fund of money that can be used on projects and services that will be beneficial to the businesses.

Hamilton's retail centre has a range of leading national chains and local independents that bring a comprehensive range of products. However, it is distinguished from its competitors by the ranges of niche independents that help create a unique character for the town.

The evening economy plays a crucial part in the vitality of the town. The BID will continue to help promote the range of restaurants, cafes and pubs. The BID will help re-establish a positive Hamilton brand. Whatever your business, you will benefit from a more vibrant, self-confident town.

The Hamilton BID will help us promote the often-overlooked strengths in the town. It's a great town with a great history and with a little investment and hard work, has an even better future

The BID will give all businesses its own manager – to help the businesses with their issues and concerns. It will give a voice to all businesses, both large and small. Above all it will give you a direct input into the future direction and development of the town centre

4.2 The History of BIDs in Hamilton

Hamilton BID was established through the work of a steering group of local business owners and managers. With the support of South Lanarkshire Council and Scottish Government a positive vote was obtained in October 2012 to create Lanarkshire first Business Improvement District.

The town centre has recently suffered from a number of store closures. Several national chains have chosen to withdraw from the town when leases have been under review. However, new businesses continue to enter the town and Poundstretcher, Xercise4less and the Gym Group have taken space in Palace Grounds Retail Park. Occupancy rates in the New Cross Centre are one unit short of 100% occupancy with long standing development space now occupied.

However, the M74 extension has reduced the commuting time to Glasgow and the Silverburn Centre. The town continues to face strong competition from Glasgow Fort, East Kilbride, Motherwell and Glasgow Forge.

4.3 How will Hamilton benefit from a BID?

All businesses in the town will benefit from the projects and services that the BID will deliver. With a BID, there will be:

- Support for existing groups and organisations
- An improved customer perception of accessibility and parking availability
- Improved customer knowledge of goods and services in town
- Increased marketing to local, regional, national and global customers
- Access to funding to reduce property improvement costs
- Cost reduction through professional negotiation on utility bills
- Cost reduction through collective investment and joint promotion
- An increased number of visitors
- Access to funding and support not available to individuals or businesses
- A local voice for businesses - business opinions included in local policy and local developments.
- Better trained staff to improve customer service
- Increased B2B sales opportunities
- Increased networking opportunities
- Improved signage
- Increased use of technology to solve local problems
- Projects to increase shop diversity and lower vacant unit rates
- A continued safe trading environment with increased sense of security and less stock loss

4.4 Local Authority Support

A BID is a business led regeneration strategy, but contributes to the wider regeneration aspirations of the public sector and the local community. It is essential to have the support of the local authority and access to its expertise throughout the development of the BID.

South Lanarkshire Council have been supportive of the development of the BID with two elected members of South Lanarkshire Council attending Board of Directors meetings and support given by one council officer.

A crucial element of the BID is to establish a Baseline Service Agreement (an agreement on which services are already provided to the area by South Lanarkshire Council, to ensure that any project or service provided by the BID is additional to the statutory services that the local authority already provides.

The BID Board of Directors has agreed that South Lanarkshire Council as a public body subject to external scrutiny should manage the formal ballot on behalf of the BID Proposer.

South Lanarkshire Council will provide,

- Funding of £44,000 in addition to its levy payments for every year of the BID.
- Free office space and IT support for the full five-year life of the BID.

The council will manage the ballot process and the levy collection. The proposed office will be sited in Brandon Gate, Brandon Street, Hamilton. This office complex has a mix of public and private sector tenants.

5.0 The BID Area

The BID area is generally focused on the historical town centre. Through one-to-one consultations, it became clear that there were common issues crossing different sectors.

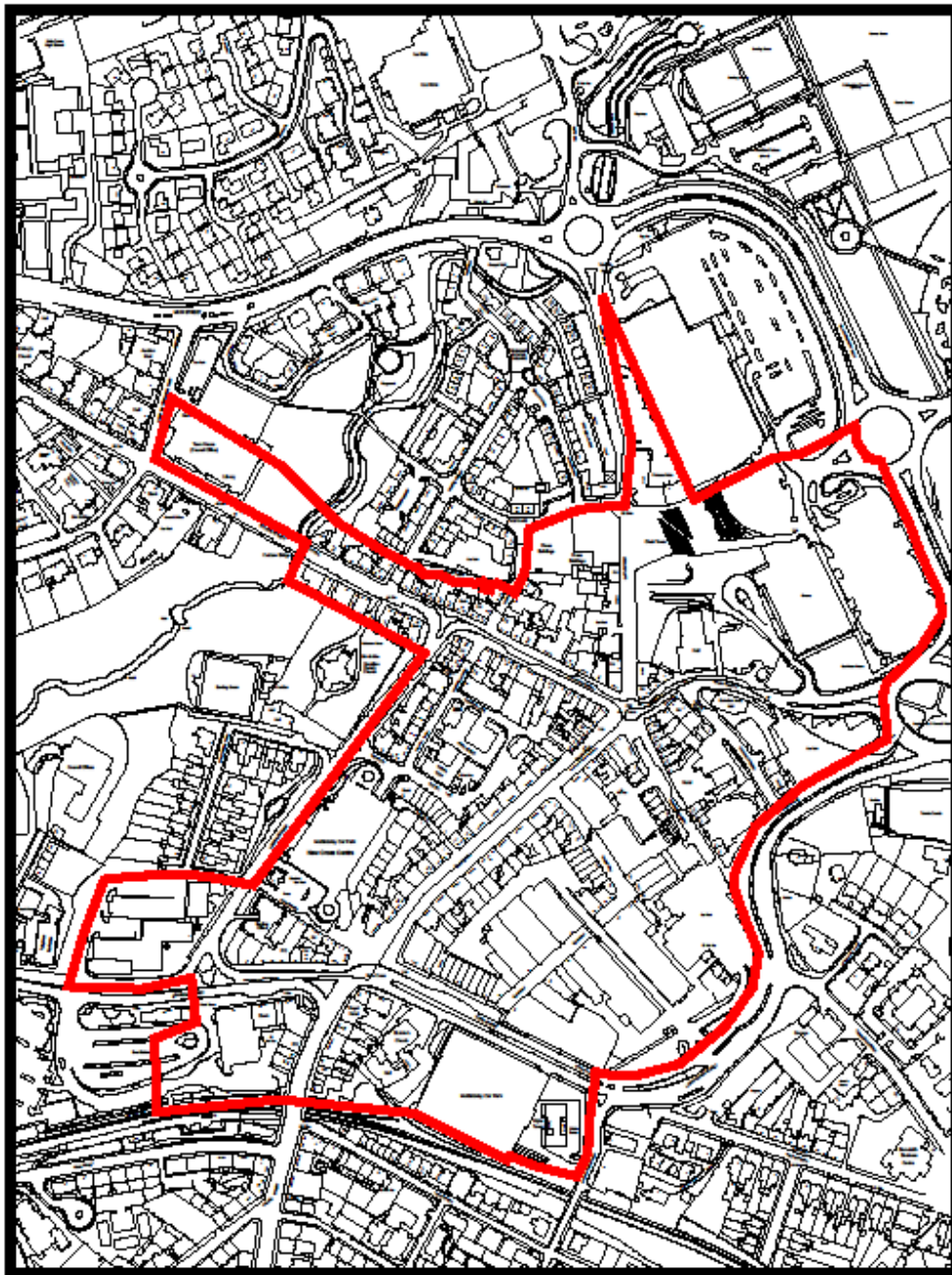
The BID team have calculated that this equates to circa 377 properties, the eligible person of which will be entitled to vote on 24th August 2017. Following a successful ballot all eligible persons within the BID area will be required to pay the BID levy.

5.1 The BID Map and Streets

The BID area extends up Quarry Street to the railway bridge, takes in the bus station complex and extends to Brandongate on Leechlee Road. It extends up Cadzow Street Cadzow bridge, but takes in the Townhouse because of its central position in the cultural and leisure sectors. The BID area extends down Brandon Street, Duke Street and Keith Street to include the Palace Grounds road retail park.

5.1 Streets or part of streets within the BID

Hamilton Town Centre



Area.

Brandon Street(part)
Campbell Lane
Campbell Street
Cadzow Street (part)
Castle Street (part)
Bourne Street
Cadzow Lane (part)

Chapel Street
Duke Street
Keith Street
Lamb Street
Leechlee Road (part)
Townhead Street (part)

Quarry Street (part)
Quarry Place
New Cross Shopping Centre
Palace Grounds Road (part)
Regent Way
Station Road (Part)

There are circa 377 businesses located within the BID area that will be entitled to vote

6.0 BID Management

6.1 BID Development Staff

BID Manager Gareth Walker has responsibility for the implementation of the BID. He was involved in the creation of Hamilton BID and has managed it for the last five years. The BID Manager will be accountable to the BID Board of Directors. Gareth has 25 yrs. retail experience having managed stores throughout the UK for a number of national retailers. Further support comes from part time Marketing and Events Coordinator Brid Mannion and Lesley Arthur Administration Assistant

6.2 BID Development Board of Directors

The BID Board of Directors is made up from a cross section of the business community in the area and includes two locally elected councillors. The Board of Directors provides direction to the development of the BID and BID development staff. Advice is also given by one South Lanarkshire Council officer. Ultimately all key decisions relating to the developing BID have been taken by the BID Board of Directors, who are as follows: May 2017

Name	Sector	Name	Sector
Mark Calpin	Tourism/ evening economy	Caroline Super	Retail
Lesley Hamilton	Retail	Jill Clark	Retail
Maurice Logie	Office	Joanne McIntosh	Service
Bill Reid	Retail	Scott Wheatley	Retail/ Property
Colin Anderson	Office	Councillor TBC	Council
Rev Joanne Hood	Vicar	Councillor TBC	Council

6.3 Management of the BID

Following a successful yes vote in the renewal ballot, the management and operation of the BID will be carried out by Hamilton BID Ltd which will operate from 1st November 2017.

This Company will continue to be managed by the existing Board. The existing Memorandum and Articles of Association of the BID Company will apply in respect of the retiral and appointment of directors. The Company will operate in an open and transparent way, answerable to the businesses in the area. The Board of Directors will ensure that a Code of Conduct (including a Register of Interests) and Management and Governance will be created and agreed as policy by the Directors. There will be a detailed set of protocols (the Operating Agreement) which will cover the management of the BID Company and billing, collection and transfer of the levy.

A Board of Directors will be established, consisting of up to 12 directors. Every eligible person that pays the levy will have the opportunity to nominate themselves or someone else from within the BID area to be elected onto the new Company Board, but limited to one eligible person from each eligible property. The new Company will be run by the businesses for the businesses. This Board will be responsible for all decisions relating to staff,

contracts, the delivery of the approved business plan and other activities generated by the BID.

Nominations of directors from outside of the BID, who **do not** pay the levy and **who may or may not** represent those making voluntary or other financial contributions toward the BID, will be strictly at the discretion of the Board of Directors.

The Board will be representative of the businesses and stakeholders in the area. The Chair, Vice Chair and Treasurer will be elected from the directors of the Board. The Board will include two representatives from South Lanarkshire Council.

The BID Company Board will have the authority to adapt or alter the projects and services from year to year to reflect any change in economic circumstances or any new opportunities that may arise. This will be in the best interests of the levy payers and without recourse to an alteration ballot.

7.0 The Consultation Process

7.1 Introduction

The initial BID consultation was undertaken with a limited cross section of businesses in the form of one-to-one interviews and this led to the creation of specific town centre surveys that were sent to all businesses in the BID area.

Of the surveys issued (377) 12% were returned and this paper consultation was supported by one to one consultations.

The overall aim of the consultation was to assess opinions on ways to enhance and improve the BID area and give more incentive to visit and invest in the town centre. The results of these surveys and consultations have been combined and form the basis of the Business Plan and BID Proposal

Businesses have received letters, emails, telephone calls, newsletters, newspaper articles, one-to-one visits throughout the BID development process to keep them informed of progress. The website www.hamiltonourtown.co.uk has been kept fully updated with information throughout the life of the BID. Full details of the consultation are shown at Appendix 2.

New businesses to the BID area have received personal visits on a one-to-one basis to inform them about BIDs.

An open meeting was held by the BID Board of Directors on the 11th April 2017. All businesses in the town received an invite to the meeting, where the BID Manager and the Chair of the BID Board of Directors presented on the BID and took questions.

Following feedback received during the consultation process, the Board of Directors produced a 'Next Steps' newsletter and copies were circulated. The Next Steps document was delivered to those businesses unable to attend the meeting. All eligible persons were invited by a letter from the Chair, and by email and social media.

As the ballot date approaches it is planned to visit as many businesses as possible to discuss the proposed projects and services that the businesses have indicated they would like the BID to deliver.

Full details of the consultation are contained in Appendix 2

7.2 Business Survey

1-to-1 consultations were carried out with persons eligible to vote.

Hard copy paper surveys were delivered to all 377 businesses in the town centre with 12% responding.

The surveys were hand delivered to the property within the proposed BID area on the 5th October 2016. The purpose of the surveys was to consult with the businesses in the BID area and determine the issues and concerns of the businesses. The survey also sought to establish views and opinions on specific identified issues relating to the area.

The Board of Directors considered the response from the 1-to-1 consultations, surveys and public meetings as sufficient to decide on the projects and services proposed in the business plan.

BID legislation requires that before a ballot can take place, a minimum of 5% of the electorate must indicate that they are in favour of a BID. The results of the consultations (both one to one and surveys) indicate that 20 eligible persons (5%) are in favour of the BID

Please refer to Appendix 1 (Support for the BID) where a list of eligible persons indicating a positive response in consultations and the survey is provided.

7.3 The Key Findings

Sector Specific Survey

A widespread customer consultation process was carried out by local elected members, Angela Crawley MP and Christina McKelvie MSP in 2016. This data and range of comments has also contributed to the production of the business plan (appendix 2). Additional research was conducted in partnership with Regent Shopping Centre and the CARD Group in March 2015

Key issues included

1. Parking - parking charges and method of charging
2. Traffic Management- access to Quarry St
3. Business Rates - proposal for new Hamilton Business Bonus Scheme
4. Events - proposals for a comic con, food and art events

Additional customer feedback

Businesses see the need to provide additional reasons to visit the town. There is an appetite for the provision of new town centre events. There was also a universal desire to improve the pricing and availability of car parking.

Overall, the most important areas a BID could improve on were ranked by the businesses in order of importance as:

From the surveys it was determined that,

Businesses would like:

1. A well promoted and vibrant town centre

2. To attract more visitors and see increased spend
3. A raised profile of the town by improving people's perception of the town
4. To see parking issues resolved within the BID area
5. To create a cleaner, more attractive town centre
6. To see fewer vacant units
7. To see less derelict buildings in the town centre
8. New niche businesses to be attracted to the town centre
9. A more diverse High Street to attract customers
10. Improved business support and advice

We asked what future projects for the town are most important

By ranking a list of projects in order of importance, the following list represents what the businesses would like the BID to address:

- Parking issues resolved within the BID area
- Fewer vacant shops
- Need for a more diverse high street, including cafes, restaurants, wine bars, small offices, residential redevelopment for upper floors of buildings.
- Addressing derelict buildings

8.0 Proposed Improvements

8.1 Proposed Improvements – Introduction

The proposed improvement projects for the BID are based on feedback provided by the businesses.

The BID Board of Directors was briefed on the Scottish Governments Town Centre Action Plan and on the Community Empowerment (Scotland) Bill.

The BID Board of Directors believe that the following year one projects support the Scottish Governments Town Centre Action Plan themes of, Town Centre First, Town Centre Living, Vibrant Local Economies, Enterprising Communities, Accessible Public Services, Digital Towns and Proactive Planning.

Projects and Services

The BID Board of Directors believes that they will contribute to the Scottish Government's broader regeneration strategy by:

- supporting community-led regeneration by enabling local people and businesses to identify and take responsibility for the economic, social and environmental action that will make a difference in their communities.
- advocating the application, where appropriate, of the Town Centre First Principle. That is that communities of all kinds put the health of town centres at the heart of proportionate and best value decision making and through this, seek to deliver the best local outcomes.

- empowering community bodies through the ownership of land and buildings and strengthening their voices in the decisions that matter to them.
- supporting an increase in the pace and scale of public service reform by cementing the focus on achieving outcomes and improving the process of community planning.

through the delivery of projects and services that involve working with the local Community Planning Partnership, providing businesses and local groups with a mechanism (the BID Company) to have a more proactive role in having their voices heard in how services are planned and delivered, consider local opportunities under the urban right to buy (community bodies a right to request to purchase, lease, manage or use land and buildings belonging to local authorities, certain Scottish public bodies or Scottish Ministers) and work in partnership with the local authority to contribute to community empowerment and improved local outcomes.

The proposed projects will be progressed over the five-year period of the BID. Some projects will be provided on an annual basis while others are one-off projects. The time frame for delivering the projects will be decided by the Board of Directors within the agreed budget.

The detailed projects costs are estimates only. The actual cost of the projects will depend on a variety of factors and will not be definitive until competitive tenders have been submitted where necessary. Some of the projects may be subject to planning permission and other statutory approval.

The projects and services will be based on the following themes, Marketing and Promotion, Business Support, Clean and Attractive (Taking a pride in Hamilton), Safe and Secure (Friendlier in Hamilton), Accessibility, additional services and Lobbying and Cost Reduction which are included within the Management costs.

What we'll deliver in the First Year: Projects

After a successful ballot result on 5th October 2017, the current first BID term will end on 21st October 2017. The second BID will commence on 1st November 2017.

The headings below show projects and services planned for year one of the second term of the BID, which will support the Scottish Governments Town Centre Action Plan.

Taking A Pride in Hamilton

- Shop-front enhancement scheme (including Small Business Grants Scheme)
- Improvements to derelict land/ stalled spaces.
- Vacant property improvements scheme
- Clean-up initiatives – including chewing gum removal
- Create a graffiti removal service
- Gutter project - Liaise with stakeholders, including property owners, to improve standards and consider support mechanisms

It's Friendlier in Hamilton

A better place to do business

- Support evening economy with Best Bar None programme and Pubwatch
- Crime-reduction initiatives
- Strengthen strategic partnerships
- Build partnerships with police and CCTV team
- Offer a range of free training sessions

- Work with South Lanarkshire Council to revitalise the town centre
- Business support - B2B growth and networking opportunities
- Training opportunities

Let's Shout About A better promoted Hamilton

Marketing & Events

- Organise events throughout the year including festive activities, music, family fun and themed markets.
- Create advertising and promotional campaigns e.g. Shop Local
- Drive usage and maximise benefits of town centre Wi-Fi
- Develop one-off events and campaigns
- Website and social media
- Major new event
- Build partnerships with local attractions to encourage visitors to the town
- Link, work with and support events organised and staged by South Lanarkshire Council
- Encourage and support organisations and promoters to stage events that benefit the town centre economy
- Investigate Tourism opportunities with local attractions - Strathclyde Park, Hamilton Academicals Hamilton Racecourse, Ravenscraig Regional Sports Centre etc.

Accessibility

- Work with South Lanarkshire Council to create a shuttle bus service within in the town
- Represent the business community to develop an improved parking strategy for the town.
- Lobby for parking initiatives
- Lobby South Lanarkshire Council to open up Quarry Street to traffic with time limited parking

Additional Services

- Cost-saving initiatives (gas, electricity, waste, telecommunication purchasing)
- Interim use of vacant business premises
- Provide unified voice for businesses
- Encourage greater diversified use of space in the town. e.g. residential, local authority, increased residential presence in town
- Develop start up hub facility to attract new businesses to the town
- Group procurement
- Arrange periodic networking events to encourage B2B activity

The themes above are shown with their budgets at 13.3. The detailed projects and services are shown in the BID Business Plan at Appendix 3.

9.0 The BID Levy

9.1 Who will pay the levy?

A BID levy is an equitable and fair way of funding additional projects and services, which the local authority is not required to provide.

The BID Board of Directors agreed that the levy would be applied to properties with a rateable value of £3000 and above. Various band levels have been applied with a maximum banding at £500,000 plus. Properties with rateable values over £500,000 will be capped at £6,000.

The BID levy payments will be made by eligible persons (occupiers) who are liable to pay the non-domestic rate. The BID levy will, where a property is vacant and has no tenant, be the responsibility of the property owner who will be required to pay the levy.

When the Assessors revalue the rateable values in 2022, the basis of the calculation of the levy will remain as at the 2017 Rateable values until the BID term ends on 31st October 2022. Consequently, the BID Levy will last for 5yrs and will be based on the 2017 assessment for the full term of the BID.

There are currently approximately 377 commercial properties in the BID area which will generate a BID investment levy income of approximately £180,100 per annum and an estimated total levy income of £900,500 over 5 years.

South Lanarkshire Council have committed to provide additional funding to the value of £44,000 should the ballot be successful. The council will also provide additional support with office space and technical support.

This equates to a total fund of in excess of £1,120,500 over the 5yr. duration.

- All eligible non-domestic properties that are listed on the Hamilton Valuation Roll by the Scottish Assessors on the 24th August 2017 will be liable for the levy for the duration of the BID.
- The levy payments are not linked to what businesses actually pay in rates but are based on the Rateable value of the property.
- All eligible occupiers (of eligible properties) i.e. the eligible person liable to pay the non-domestic rate that are listed on the Local Assessors Valuation Roll on the ballot date will be liable to pay the levy.
- If there is a change, in occupier to a property, until a new occupier is found, the property owner will be responsible for paying the levy.
- Any new commercial development, sub division of existing properties or merging of properties or new business with a non-domestic rateable valuation of at least £3000 coming into the area during the 5-year term of the Town business improvement district will be liable for the BID Improvement Levy.
- If the property is vacant or empty on the date the levy is issued and for any subsequent vacant periods, the property owner will be liable for the full levy amount, which must be paid within 28 days.
- Payment may be made in one payment or in instalments with the agreement of South Lanarkshire Council. Payment must be made within 28 days from the date the levy invoice is issued.
- The BID Board of Directors have decided not to index-link the levy to take account of inflation.
- The Board of Directors agreed that an exemption will continue to be given to office based non-retail charitable organisations with a rateable value below £16,500.
- Churches and retail charities will be liable for the levy.
- It is also agreed to exclude Foodbanks from the levy. (A place where stocks of food, typically basic provisions and non-perishable items, are supplied

9.2 Exclusions

The BID Board of Directors decided to exclude premises that have a rateable value of under £3,000. These premises can pay a voluntary levy and become an “associate member” should they wish, details of which are given in the BID Business Plan.

The Board of Directors agreed that an exemption will continue to be given to office based non-retail charitable organisations with a Rateable value below £16,500. Churches and retail charities will be liable for the levy.

It is also agreed to exclude Foodbanks from the levy. (A place where stocks of food, typically basic provisions and non-perishable items, are supplied.

9.3 The Levy Table

Rateable Value	Each Week	Each Month	Annual Levy	No of Businesses	Total
0 to 3,000	Voluntary	Voluntary	Voluntary		£0.00
3,000 to 8,000	£3.85	£16.66	£200.00	91	£18,200.00
8,001 to 16,000	£4.81	£20.83	£250.00	118	£29,500.00
16,000 to 25,000	£6.73	£29.16	£350.00	72	£25,200.00
25,000 to 35,000	£8.65	£37.50	£450.00	34	£15,300.00
35,000 to 45,000	£12.50	£54.16	£650.00	10	£6,500.00
45,000 to 70,000	£16.35	£70.83	£850.00	21	£17,850.00
70,000 to 100,000	£21	£91.66	£1,100.00	12	£13,200.00
100,000 to 150,000	£32	£138	£1,650.00	9	£14,850.00
150,000 to 200,000	£48.07	£208.33	£2,500.00	1	£2,500.00
200,000 to 300,000	£57.63	£250.00	£3,000.00	4	£12,000.00
300,000 to 400,000	£76.92	£333.33	£4,000.00	2	£8,000.00
400,000 to 500,000	£96.15	£416.67	£5,000.00	1	£5,000.00

500,000 plus	£115.38	£500.00	£6,000.00	2	£12,000.00
					£180,100.00

The BID Board of Directors has chosen to use a fee structure as above to calculate the levy charged. The reasons behind this are as follows:

- The levy payments must add up to the amount required to deliver the business plan.
- A banding system was chosen as it represents a simple and easy way for businesses to identify their levy payment, provides for ease of collection and represents a fair and reasonable methodology. Everybody benefits therefore everybody pays.
- A minimum payment of £200 (£3.85 per week or less than one cup of coffee per day) is believed to be affordable for the smallest businesses as they will have the opportunity to benefit from cost reduction projects and the Property Improvement Grant.
- Through consulting with the businesses, a maximum of £6000 is believed to be affordable for the businesses at the higher end of the banding.

9.4 Enforcement

In the event of any nonpayment of the BID improvement levy, it will be strongly pursued by South Lanarkshire Council (as the billing body) using the recovery powers available to the Council to ensure complete fairness to all the businesses that have paid. South Lanarkshire Council will be entitled to charge an additional fee to the levy amount to meet any additional costs incurred in the recovery of the levy.

9.5 Collection of the BID Levy

South Lanarkshire Council will collect the investment levy on behalf of the BID, as this will be an efficient, safe and cost-effective method of collection. South Lanarkshire Council will lodge the levy within a BID Revenue Account. The BID levy can only be drawn down by the Board of Directors of the BID to allow the delivery of the business plan.

The BID Revenue Account and levy cannot be accessed by South Lanarkshire Council nor can it be used by the Council as an additional source of income.

The Planning etc. (Scotland) Act 2006 designates South Lanarkshire Council as the Billing Authority and so the Council must collect the levy for the BID company

10.0 The Voting Process

10.1 Pre-Ballot

The BID Proposer must notify the local authority, the Scottish Ministers and the billing body 98 days in advance of the ballot date of their intention to put the BID Proposals to ballot. The local authority then has 28 days in which to veto or not the proposal.

Prior to the ballot taking place, a 'Notice of Ballot' will have been issued to all non-domestic properties in the BID area.

The BID Proposer must make available a full copy of the BID Proposal to any person who is eligible to vote on the BID Proposals who requests a copy. A copy of the BID Proposals and BID Business Plan must also be sent to the Scottish Ministers and the Chief Executive of the local authority 98 days in advance of the final ballot date.

Prior to, or on the date the ballot papers are issued the BID Proposer must provide all those eligible to vote in the proposed BID area with a detailed BID Business Plan.

10.2 The Ballot and who is eligible to vote

- Ballot papers will be issued to every eligible person in the BID area 42 days before the final ballot date
- Ballot papers, together with a copy of the BID Business Plan will be posted to the eligible person responsible for casting a vote within their business. In the case of national companies the responsibility for voting may lie with head office.
- The BID ballot is a confidential postal ballot conducted by South Lanarkshire Council on behalf of Hamilton BID and in accordance with Scottish BID legislation.
- Where an eligible property is vacant the voting papers will be sent to the property owner.
- In Hamilton BID's case, voting papers will be issued on 24/08/2017.
- The final date for all ballot papers to be returned is 5pm on 5/10/2017. Papers received after this date and time will be deemed null and void.
- Voting papers are easy to complete, simply place a cross on either "yes" or "no" to the question "are you in favour of a BID?" The ballot paper must then be signed by the person eligible to vote and returned in the pre-paid envelope.
- For the ballot to be successful there must be a minimum of 25% "turn-out" (headcount) by number of eligible persons and by combined rateable value.
- Of those that vote, over 50% by number of ballots and 50% by combined rateable value must vote in favour of the BID.
- All eligible persons (i.e. those persons liable to pay non-domestic rates) will have one vote or where a person is liable for non-domestic rates for more than one property, that individual shall be eligible to cast more than one vote however they will be required to pay the levy for each of the properties that they occupy.
- The ballot papers will be counted on 06/10/2017 and the results announced by the South Lanarkshire Council within one week.
- Following a successful ballot, the BID will commence on 01/11/2017 and will run for a period of five years until the 31/10/2022.
- It is up to the BID proposer to decide exactly who is eligible vote. In most cases it is the person who is liable to pay non-domestic rates but it need not be. Section 39 of the

Planning etc. (Scotland) Act 2006 sets out who is eligible to vote in full and can be summarised as:

- A person who is subject to the non-domestic rates for the property. "Subject to" can include a person who is entitled to rates relief.
- An eligible tenant who is not subject to non-domestic rates, i.e. where there is a sub-tenant who is paying the rates or if the owner is paying the rates. An eligible tenant is at tenant with at least 5 years to run on the lease.
- An owner where the property is empty or there is no eligible tenant.

Note

The BID process of is a statutory one set out in the Planning etc. (Scotland) Act 2006 and some of the phrases and terminology contained in this document are taken from or defined in the Act.

BID Timetable

Please see below for the BID Timetable

Item	B-n	Procedure	Time	Date	Comments
1	B-154	Last day for notice of intention to put BID proposals to ballot.	Regulation 4 At least 154 days before ballot	4/5/2017	
2	B-120	BID Review	BID project should be reviewed and agreement reached as to whether a positive ballot is achievable or not. If a positive ballot is not achievable, then the BID should not go to ballot.	7/6/2017	Reviewed by BID Scotland and South Lanarkshire Council
3	B-98	Last day for the submission of the BID proposal to the local authority and Scottish Ministers.	Regulation 5 (2) (a) (i) At least 98 days* before the day of the ballot in accordance with regulation 4. *This would give the local authority at least 28 days to consider proposals before deciding whether or not to exercise veto.	29/06/2017	
4	B- 70	Local authority to confirm that it is or is not vetoing the BID proposals.	Regulation 14 (1) For the purposes of section 42(2) of the 2006 Act, the prescribed period is 70 days prior to the day of the ballot.	27/7/2017	
5	B-56	98 days after item 1 the BID Proposer requests local authority to instruct ballot holder to hold ballot.	Regulation 5 (2) (a) (ii) and (b) The request to hold a ballot should be at least 56 days* before the ballot date. *To allow time to put in place ballot arrangements, before issuing ballot papers (at least 42 days before ballot), it is recommended that the request to hold a ballot should be made at least 56 days before the ballot date.	10 th – 24 th August 2017	
6	B-56	The local authority instructs the ballot holder to hold BID ballot.	Regulation 6	10/08/2017	
	B-42	Ballot holder puts in place	Regulation 8	24/08/2017	

		arrangements to hold BID ballot.			
7	B-42	Issue of ballot papers. Spoilt ballot papers. Publication of notice of ballot (by ballot holder).	Schedule 2, para. 3 42 days before ballot date. Schedule 2, para. 11 Spoilt ballot papers may be replaced at any time from the issue of ballot papers. Schedule 2, paras. 2(c) and 3 - at least 42 days after but no more than 90 days after, the date on which the ballot holder published the notice required by paragraph 3(a).	24/08/2017 24/08/2017 to 5/10/2017	
8	B-42	Last day for postponing the day of the ballot by up to 15 days.	Schedule 2, para. 2 (2)- No later than 42 days before the day of the ballot, the ballot holder may postpone the day of the ballot by up to 15 working days.	24/08/2017	
9	B-10	Last day for the appointment of a proxy.	Schedule 2, para. 5(5) An application to appoint a proxy shall be refused for the purposes of a particular ballot if the ballot holder receives it after 5 p.m. on the tenth day before the day of the ballot.	25/09/2017	
10	B-7	First day for the request for issue of replacement of LOST ballot paper.	Schedule 2, para. 12 Where a voter has not received their ballot paper by the seventh working day before the day of the ballot, that voter may apply (whether or not in person) to the ballot holder for a replacement ballot paper.	28/09/2017	
11	B-5	LAST day for cancellation of proxy	Schedule 2, para. 5 (10) A notice under subparagraph (9) by a person entitled to vote cancelling a proxy's appointment shall be disregarded for the purposes of a ballot if the ballot holder receives it after 5 p.m. on the fifth day before the date of the poll at that election.	30/09/2017	BY 5PM
12	B	Ballot Day	Schedule 2, para. 2 at least 42 days after but no more than 90 days after,	5/10/2017	

			the date on which the ballot holder published the notice required by paragraph 3(a). (see Item 7).		
13	B+1	The Count	Schedule 2, paras. 14-16 As soon as practicable after the day of the ballot, the ballot holder shall make arrangements for counting the votes cast on such of the ballot papers as have been duly returned (in accordance with paragraph 13) and record the number counted.	6/10/2017	
14	B+1 B+8	Declaration of results	Schedule 2, Para 17 (2) The ballot holder, having made the certification under subparagraph (1) Shall: (a) forthwith make a declaration of the matters so certified; and (b) Give public notice of the matters so certified as soon as practicable and within 7 days after the counting of the votes.	By: 6/10/2017 13/10/2017	

11.0 Public Sector BID Involvement

11.1 Baseline Services

A baseline service agreement ensures the BID does not use the levy money to duplicate any services provided by South Lanarkshire Council, Police Scotland or Historic Scotland. The services directly delivered by the BID additional to any statutory services. The baseline services agreement gives an assurance to businesses that the levy payment will only be used for **additional** projects which they voted on in the BID ballot. Additionally, a baseline agreement avoids the risk that public agencies including South Lanarkshire Council will not reduce its statutory level of service to the BID area following a successful ballot.

For a full and detailed list of services provided in the BID area by South Lanarkshire Council, please see appendix 6 South Lanarkshire Council Baseline information and Baseline Agreement.

The services already provided by South Lanarkshire Council

South Lanarkshire Council provides the following services (both statutory and discretionary) within the BID area: -

- **Community Safety** - Licensing and Permits (street traders, public entertainment, etc.), Food Safety, Trading Standards, Environmental Health

- **Cleansing** - Refuse Collection, Recycling (Kerbside), Street Cleansing, Public Toilet, Environmental Wardens
- **Economic Development** – Town Centre Management, Business Gateway
- **Grounds Maintenance** – Drainage, Structures, Road/Pavement/Lanes Maintenance, Winter Maintenance
- **Lighting** - Street lighting, Christmas lights
- **Traffic** - Traffic Management, Traffic Lights, On-Street and Off-Street Parking
- **Street Furniture and signage** - Street Furniture, Signage, Bus Shelters
- **Planning** - Development Management
- **Policy & Strategies** - Conservation issues

The services already provided by Police Scotland:

- 24/7 Policing response
- Dedicated policing during Peak Times
- Enhanced policing levels during special events
- Operation and control of the Town centre CCTV system
- Liaison with partner agencies and other groups
- Crime Prevention - advice

12.0 Measuring Success

12.1 Measuring the Success of the BID

Throughout the lifetime of the BID, all work on the BID projects will be monitored to ensure the projects proposed in the BID Business Plan achieve a high level of impact, and are progressing to the satisfaction of the businesses that voted for the BID.

The BID Board of Directors will monitor and oversee the efficient delivery of the BID projects.

The BID will undergo an independent evaluation of its activities at the half way point and towards the end of the second term.

The BID will undergo Assessment and Accreditation Interim Review (AAIR) for Scottish BID Companies,

The AAIR

- is a bespoke review which recognises and accords with the Scottish BIDs legislation and the public and private sector environment in Scotland
- gives confidence to businesses and the Board of Directors that the practices of the BID Company are robust and accord with good practice and
- supplies an audit trail to support any future evaluation of the BID Company.

In developing the Interim Review, BIDs Scotland consulted with,

- key stakeholders and organisations
- key UK national businesses
- the Scottish Retail Consortium

and reviewed existing Assessment and Accreditation Frameworks, including existing documents used by businesses to assess BID Proposals in the UK to identify key lessons for transfer to the Scottish context.

The Assessment and Accreditation Interim Review is recommended by BIDs Scotland as good practice and is included as one of the good practice elements of any Scottish BID Proposal and BID Business Plan.

12.2 Marketing, Communications and Social Media

The Board of Directors have agreed that an open and transparent approach must be adopted by the BID Company.

To assist in achieving an open and transparent operation the Board of Directors have agreed that the BID Business Plan should include for, One to One contact, Business Briefings, Social Media, Information, reports and intelligence and cross business communication, Written updates and newsletters for those businesses preferring hard copy information or with no access to IT, Press releases, B2B Meetings, Business Surgery, Annual Forum and Reporting. Details of Director Meetings (agenda and minutes), annual accounts, BID Business Plan and BID Proposal will be made available on the BID Company website.

13.0 Finances

13.1 Estimated Income and Expenditure

It is calculated that there are circa 377 eligible properties located within the BID area (this figure may change as businesses move, expand or close). The BID levy income is calculated to be approximately £181,100.00 per annum. Current Scottish collection rates for the BID levy are reported to be standing at 95%. With this in mind, an amount has been set aside in the budget under 'contingency' to allow for any bad debt.

South Lanarkshire Council has agreed, in addition to paying their levy for eligible properties, to provide additional funding per year of £44,000.

The improvement levy will make it easier to obtain other sources of funding for specific projects and these opportunities will be pursued. The BID aims to attract other investment, sponsorship and trading income to increase the amount available to spend on your projects as they develop. Funds will be sought from but not restricted to Visit Scotland, LEADER, The BIG Lottery and Zero Waste Scotland.

As the BID progresses, more income will be attracted and this will be invested in improving the town centre for the benefit of the businesses and local community.

13.2 Financial Management Arrangements

Once the BID is operational, any variations within budgets will be reported to the BID Board of Directors.

The Board will agree on an annual basis how funds for subsequent years will be allocated. This will be based on business feedback during the previous year and your priorities for the coming year, which allows the BID the flexibility to respond to changing business needs and requirements.

South Lanarkshire Council will collect the levy payments on behalf of the BID, and will retain these funds in a separate account until the BID Board calls these funds down. The BID Board will manage the levy funds that are collected by the Council. This arrangement will ensure that projects are delivered and any financial liabilities of the BID are transparent.

13.3 Hamilton BID Projected Income and Expenditure

income	year 1	year 2	year 3	year 4	year 5	total
BID levy	180100	180100	180100	180100	180100	900500
South Lanarkshire Council	44000	44000	44000	44000	44000	220000
Income total	224100	224100	224100	224100	224100	1120500
Expenditure	year 1	year 2	year 3	year 4	year 5	total
Taking a pride	20000	20000	20000	20000	20000	100000
Friendlier Hamilton	10000	10000	10000	10000	10000	50000
Let's shout about it	80000	80000	80000	80000	80000	400000
Accessibility	22000	22000	22000	22000	22000	110000
Additional services	10000	10000	10000	10000	10000	50000
Contingencies	18000	18000	18000	18000	20492	92492
Management/ Operations	62676	63129	63592	64065	64546	318008
Expenditure total	222676	223129	223592	224065	227038	1120500
Grand Total expenditure	222676	223129	223592	224065	227038	1120500
Variance	year 1	year 2	year 3	year 4	year 5	total
Yearly Variance	1424	971	508	35	-2938	0

14.0 Contact Information

If you would like more information please visit our website www.Hamiltonourtown.co.uk or contact Chair or Project Manager by telephone, email or make an appointment to see him.

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