



# BRIGHOUSE BID

## Proposal & Business Plan

Brighouse Business Improvement District  
2019 – 2024





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## 1) Foreword

### Message from the Chair of the Brighouse BID Steering Group

Brighouse has enjoyed success in recent years with a programme of events – from street markets to festivals to themed-weekends – which bring in more visitors to shop and spend.

Much has been achieved. But there is much more to do. While Brighouse has been put on the map around the region, we need to make the success we have had sustainable and ensure that every business in every part of our town centre benefits from improvements in the future.

Having consulted with fellow Brighouse business and shop owners, we have decided that the Business Improvement District (BID) model is the right one for Brighouse and now is the right time to move forward and ask for your support.

This proposal and business plan has been thoroughly researched and tested in recent months with an extensive programme of surveys, individual meetings, workshops and forums which provided opportunities for businesses to identify the key challenges they face, the priorities and the potential solutions.

There have been robust but positive conversations, and all of those discussions influence this proposal. We hope we have reflected your views and your priorities in this document - from parking and public transport to the safety and security of both shoppers and business owners.

We believe that businesses across Brighouse have received the benefits of the work of volunteers in recent years and there is a danger that there is an assumption that these efforts will continue indefinitely. Our message is clear – they won't and we need to take action to ensure the benefits they bring are locked in for our town.

It is important to be clear. If the decision is made to say no to a Business Improvement District, the work of the business owners who put in their own time and effort to bring the street markets and festivals to the town will stop. Businesses will have made a decision that they do not wish this focus to continue. That is their right, but we want to be clear that will be the outcome of a 'no' vote.

A 'yes' vote however will ensure the investment into the town, both through money spent, people attracted and a wider perception of a town on the up, can continue. These events will be organised

and managed by the BID who will work to ensure the whole town – no matter what type of business or what location – benefits.

This business plan is realistic. It has realistic but important targets on safety and security, accessibility and parking and event planning and management, at a realistic cost. We believe it presents excellent value for money and is a chance for Brighouse's destiny and decisions to be increasingly made in Brighouse, by Brighouse, for Brighouse. Please review the proposal carefully, and I hope you will give it your full support in the BID vote in October.

**Lesley Adams**

Chair of the Brighouse BID Steering Group  
Owner, Simply Flowers



### Current BID Steering Group Members

Brighthouse BID has a Steering Group for the development of this proposal. This acts as the body which has 'proposed' the BID for the purposes of the BID Statutory Provisions.

A totally separate and independent company will be set up, limited by guarantee and be responsible for the implementation of the BID plan. The membership of the board of the company will be open to all businesses in the BID area.

The members of the BID Steering Group are as follows:

Name	Position	Business Name
Lesley Adams	Chair	Simply Flowers
Anne Colley	Member	Just Books
Graeme Curry	Member	The Pot Spot
Laurina Curry	Member	The Pot Spot
Andrew Hawley	Member	Hawley Group
Euan Noble	Member	Rokt & Miller's Bar
Hugh Skellington	Member	Brearley's Solicitors
Stephen Naylor	Affiliate Member	Waverley Consultancy

## **2) Executive Summary**

### **About BIDs**

Business Improvement Districts are created by businesses and organisations which come together to collaborate on initiatives that improve the location where they trade or do business.

Business Improvement Districts are driven by participating businesses - who work together to draw up a business plan which is voted on and, if agreed, is then funded through a levy based on business rateable values, as well as trying to lever in additional funding where possible for investment into the delivery of projects for the benefit of businesses.

This levy would be collected by Calderdale Council and paid directly to the Business Improvement District company. This is a not for profit company which will be set up by the businesses and will be accountable to the businesses in Brighouse to manage the business improvement district business plan.

### **Benefits of a Brighouse Business Improvement District**

Brighouse is a town that has a real sense of pride. Full of heritage and history, proud of its past and determined to have a strong future. But, it faces stiff competition from neighbouring towns to attract investment, businesses, and shoppers. It also needs to compete for attention from politicians and officials who are not always seen to be as focused on ensuring a strong future of Brighouse as the town is itself. It is for these reasons that it is time for a Brighouse Business Improvement District.

Businesses have recognised this is an opportunity – to have more control, more influence and more impact – for the benefit of the whole town, and particularly those businesses who are based in the town centre.

The need for working together is clear in the fact of economic storms – from the uncertainty of Brexit, to the impact of national decisions like business rates and the impact of local decisions like car parking charges.

The benefits of a BID do not just come from the ability to deliver projects and services from a guaranteed budget but come from the collective influence of the businesses in the BID area.

The influence of the collective voice of businesses working together also translates into productive relationships and outcomes, when working with other organisations such as the local authority, the local economic partnership and the Police, to meet the businesses' needs.

This business plan has been developed to ensure it:

- is balanced to cover all business sectors
- clearly defines the role of the BID
- seeks to create and take advantage of new opportunities
- has focussed activity but remains relevant for next five years
- has deliverable and achievable objectives

It clearly lays out a programme of investment to tackle issues identified by businesses with the aim of creating a positive and more profitable trading environment to potentially benefit all business sectors.

To achieve this, there is a cost. The BID levy will be 1.75% of rateable value, with all charges rising in line with inflation each year for five years, and businesses within the BID zone with a rateable value of £2,000 or above will be subject to this levy. A limit of £20,000 will be set as the maximum contribution from any one business.

### **Area covered by the BID**

After detailed consultation, the boundaries of the Brighthouse Business Improvement District will run from the River Calder north along Bridge Road, across the canal and to the east of Owler Ings Road before taking in properties to the north of Bank Street.

The boundary line then extends north from Ludenscheid Link to include High Street and Upper Bonegate before meeting Clifton Beck and running along Grove Street, across Mill Lane and back to the River Calder.

All areas within the zone are covered by the BID and full details on the boundary can be found in section 5. For any specific enquiries about whether a property is covered, please contact the BID team on 01422 392 234.



## Our vision

Our vision for Brighouse BID, determined after extensive research with businesses, is to create a destination town with a strong and sustainable future which is vibrant, lively and welcoming where businesses, shoppers and visitors feel safe and secure.

To achieve this, we have set three objectives through which the programme of investment will be focused and delivered:

- **A SAFE & SECURE TOWN** – providing support for businesses and reassurance for visitors that Brighouse is a town where you will be well looked after
- **A VIBRANT, LIVELY & WELCOMING TOWN** – supporting a Brighouse that can be proud of its history and character, accessible for all and optimistic about its future
- **A DESTINATION TOWN** – with events that benefit every Brighouse business, attract new visitors and encourage them to return, shop and spend

## Costs and funding

The budgeted income over the five-year period of the bid is approximately £600,000. Annual income will be made up of the approximately £120,000 from the levy revenue.

Subject to a successful vote in October 2018, the new BID will become operational on 1 April 2019.

### 3) What is a Business Improvement District?

A Business Improvement District (BID) is a precisely defined geographical area within which the businesses have voted to invest collectively in local improvements to enhance their trading environment.

BIDs were enabled by parliament through the Business Improvement Districts (England) Regulations 2004. This legislation was based on the experience of some twenty years of successful BID activity in America and Canada. Since 2004, over 220 BIDs have been proposed and approved by business communities in England and Wales. These include Leeds, Manchester, Skipton, Durham, Sheffield, Derby, Nottingham, Leamington Spa, Coventry, Bristol, Rugby, Birmingham and Lincoln and many London boroughs.

There are a more than 90 BID areas which have been operating for more than five years and have gone through a renewal ballot and a number have now entered their third term having gone through a third ballot. In most cases BIDs going on to a second term have received an even greater endorsement in the vote than they did the first time. BIDs have brought significant improvements to the trading environment of the businesses based in these locations. Further details are available on the Association of Town and City Management web site: [www.atcm.org](http://www.atcm.org).

The lifetime of the BID is prescribed by the Regulations and is set at no more than 5 years. It is possible for a BID to be extended by proposing a new Business Plan at the end of the BID lifetime for a fresh formal vote by the businesses.

The purposes of a BID are to provide new or expanded works and services or environmental enhancements within the prescribed BID area, funded via a BID Levy charge. All services/improvements will be additional to those already provided by Calderdale Metropolitan Borough Council. This charge is payable by non-domestic rate payers and is collected by the Council in much the same way as business rates. The manner in which the BID Levy charge is calculated is defined in Section 12 of this document.

All works and services will be contracted by the Brighthouse BID Company, the BID body for the BID area. The objectives and aspirations of the Brighthouse BID are set out in this BID Proposal and Business Plan.

This BID Proposal and Business Plan has been prepared in line with best practice and guidelines of the 'Industry Criteria and Guidance Notes' prepared for the British Retail Consortium (BRC) and the Inter- Bank Rating Forum (IBRF).

A set of definitions for terms used throughout this document is contained in Appendix 1.

### **The vote**

In order for the proposals set out in this Business Plan to go ahead, more than 50 per cent of business ratepayers who vote have to vote 'yes'. Those in favour also have to represent more than 50 per cent of the combined 'rateable values' of those who vote. If these two criteria are met, the Business Plan is activated and all businesses in the area concerned will be required to pay the levy.

The persons entitled to vote, and be liable for the levy, are the ratepayers of non-domestic premises in the Business Improvement District. Properties with a rateable value of less than £2,000 will be excluded from the vote and levy.

The Calderdale Metropolitan Borough Council's Democratic Services returning officer will be the ballot holder for the Business Improvement District vote.

Details of voting procedures and how you can confirm persons entitled to vote can be found by contacting Calderdale Metropolitan Borough Council's Democratic Services on Tel 01422 393103 or by e-mail [electoral-services@calderdale.gov.uk](mailto:electoral-services@calderdale.gov.uk)

### **Alteration of arrangements**

The Business Improvement District, its boundaries, business plan and the levy percentage cannot be altered without an alteration ballot, although its board can adjust projects and spend as they feel appropriate, provided the basic tenets and budgets are not compromised.

### **The levy**

A levy of 1.75% of rateable value (RV) is proposed for businesses with a Rateable Value of £2,000 or more. More details on businesses which fall within the levy criteria are laid down in Section 12.



This levy arrangement will generate around £600,000 of ring fenced funding over the five year life of the BID and will also be used to lever in additional funds where possible. This will be used to fund the projects identified in this Business Plan.

### Duration

Our proposal is for the Brighthouse Business Improvement District plan to operate for five years and to commence, on the 1st April 2019. After five years, in 2024, it can be extended or renewed – but only after being subject to a renewal ballot.

### Timescales

Action	Day and Date
Establish Register of Businesses entitled to vote, as specified in BID proposal	13 September 2018
Letter to Business Ratepayers to give information about the ballot and identify named person to receive ballot paper <i>(latest date is 42 days before Ballot Day)</i>	13 September 2018
Notice of Ballot published - also to send copy to Secretary of State, a copy of the published notice of ballot, as per Schedule 2 3(d) of the 2004 Business Improvement Districts (England) Regulations <i>(42 days before Ballot Day)</i>	13 September 2018
Ballot papers issued <i>(at least 28 days before Ballot Day)</i>	24 September 2018
Last day to appoint a proxy <i>(tenth day before Ballot Day)</i>	5pm - 15 October 2018
Replacement of lost and spoilt ballot papers <i>(from the fourth working day before the Ballot Day)</i>	19 October 2018
Deadline for cancellation of a proxy appointment (five days before the Ballot Day)	5pm - 20 October 2018
Deadline to apply for a replacement lost or spoilt ballot paper <i>(third working day before the Ballot Day)</i>	22 October 2018

Ballot Day (up to 5pm)	25 October 2018
Count and announcement of result	26 October 2018

All businesses in the Brighthouse Business Improvement District area will benefit from the BID initiatives.

#### **4) Why Brighouse? Why Now?**

In recent years, Brighouse has enjoyed success with a programme of events - from street markets to festivals to themed-weekends – bringing in more visitors to shop and spend.

The town has the lowest vacancy rate in Calderdale and a thriving high street used by thousands of local people each week. But, while Brighouse has been put on the map around the region, the town needs to make the success sustainable and make improvements to ensure even more success in the future.

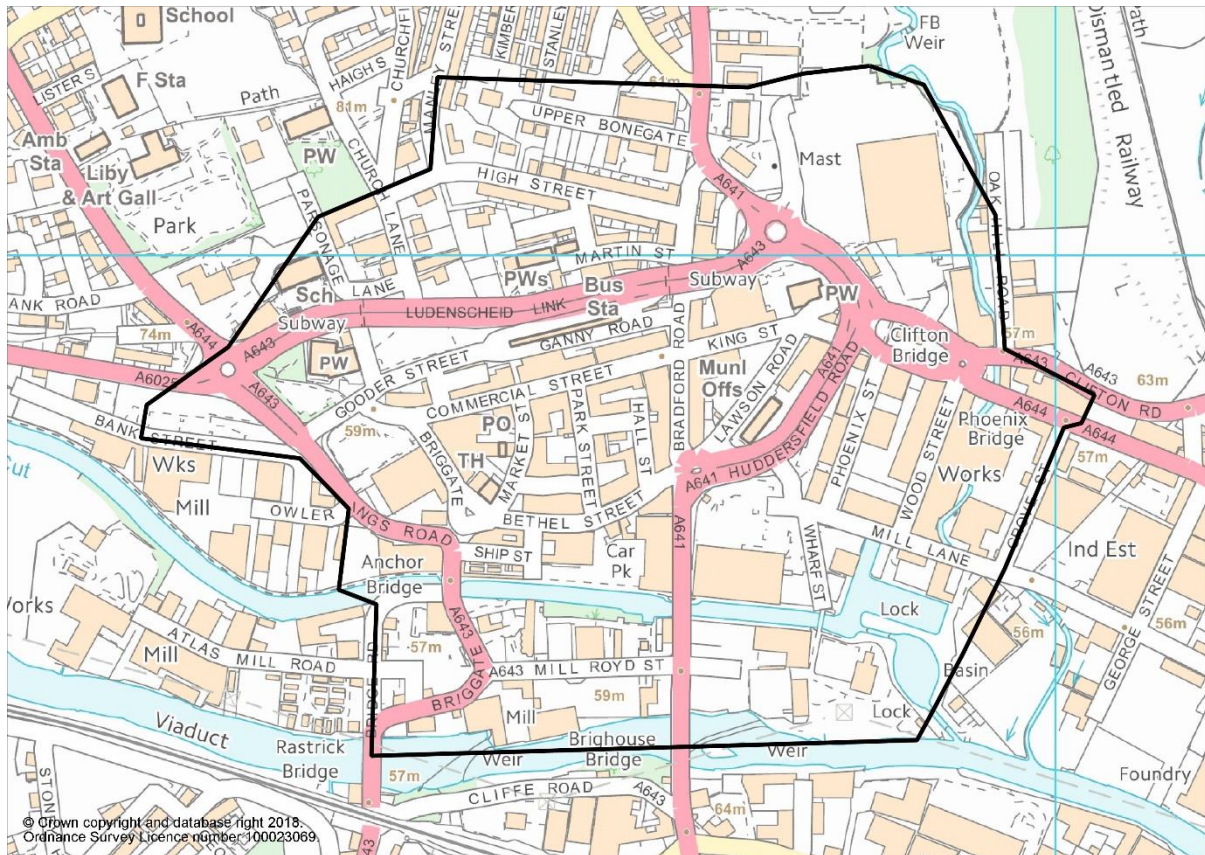
To do that, it is important to look at how town centre events and improvements are funded and provided for the future.

The Business Improvement District model has been successfully rolled out in many towns and it is our belief that this is now the time to establish one for Brighouse. It will affect all businesses in the town, which is why there has been an extensive programme of surveys, individual meetings, workshops and forums to provide opportunities for businesses to identify the key challenges they face, the priorities and potential solutions.

This carefully researched and put together business plan has taken account of the needs, challenges and opportunities facing Brighouse, and all business sectors within Brighouse. We believe that by working together, through a Business Improvement District, there will be even greater potential to understand those needs, overcome the challenges and take advantage of the opportunities.



## 5) Boundaries of the BID



The black line represents the boundary of the Brighouse Business Improvement District. All areas within this are part of the BID area. A list of roads and streets within the BID area is shown in Appendix 2.

All non-domestic hereditaments (land or building) within the BID area will, if the BID is approved, be liable for the BID levy (as defined in section 12).

The BID covers those businesses, whose rateable value is £2,000 or greater.

Thus banks, building societies, car parks, Council facilities, restaurants, clubs and pubs, estate agents, leisure operators, recruitment agents, retail and health and beauty outlets, office-based businesses and organisations, and transport and travel agents and all other non-domestic hereditaments are included within the BID and will, subject to the detailed levy criteria in Section 12, contribute to the BID's collective funding and activities flowing from the combined budget.

For any specific enquiries about whether a property is covered, please contact the BID team on 01422 392 234.

## 6) Relationship with Calderdale Council

Calderdale Metropolitan Borough Council fully supports the development of the Brighthouse BID.

In particular, it endorses the fundamental principle of additionality within the BID by agreeing to maintain the provision of existing services from the Council to businesses at their current level (subject to budgetary constraints) across the Brighthouse BID area.

Thus, in line with BID legislation, BID services within the Brighthouse BID will be additional to (not in substitution for) those provided by the Council. If there is a need for any change in service levels provided by the Council these will not be disproportionate to other parts of Calderdale Borough outside the BID area.

The Council's commitment to the Brighthouse BID and the working relationships between the Council and Brighthouse BID Company are set out in complementary documents agreed between the Council and the Brighthouse BID Steering Group currently acting on behalf of the Brighthouse BID Company which has yet to be formed:

- An Operating Agreement which defines the working relationship between the Council and Brighthouse BID Company and sets out the Council's Operational Support to the BID on a number of specific issues
- A set of Baseline Statements, each defining the benchmark for a specific service provided by the Council and other agencies to the businesses in the area

### Council's Vision for the BID

Beyond its clear commitments set out in the Operating Agreement, the Council welcomes the opportunity offered by the BID disciplines to develop a strong and more dynamic partnership between the Council itself and Brighthouse businesses. The Council intends that this forward-looking evolution of its relationship with businesses should take shape along the following lines during the five-year BID period:

- Establishing a serious dialogue with Brighthouse businesses on issues that can promote a stronger trading environment for them.



- Exploring more effective means of delivering council services to businesses. This will include more cohesive ways of tailoring and delivering specific services to Brighthouse

### **Council Services for Business**

Businesses will continue to benefit from all the standard council services provided for the benefit of all stakeholders in the town (cleaning, access, safety, maintenance and public amenities).

In addition, the Council delivers a wide range of services either directly or indirectly specifically for businesses, these include:

### **Business support and advice**

The information on these pages gives support and advice to new and existing businesses. There are also links to organisations that can help with a range of business issues.

- Business advice
- Disclosure and barring checks (DBS)
- Economic information
- Grants, help and support
- Sustainable development
- Licensing
- Environmental Health and Safety
- Commercial Waste & Recycling
- Business Rates

Details of these services can be found on the Council's website.

### **Individual Baseline Statements**

In full support of the above commitments, Heads of Service within the Council will draw up Baseline Statements on the specific services they are responsible for.

These documents define the benchmarks for the provision of these services and the fact that any change will not disproportionately impact upon the BID area more than any other area outside the BID within the Borough's administrative boundary.

They also cover how the services will be measured. The Council attaches particular importance to the incorporation of value for money principles and measures within all the Baseline Statements.

The Baseline Services are defined below:

- Grounds Maintenance and Arboricultural services
- Parking Services
- Public Area CCTV
- Street Cleansing and waste

The process of having creating the baseline statements proves valuable to both the service providers and the BID Company.

The development of these partnerships and the additional focus on the services provided in the area, will give tangible benefits over and above those derived from the projects outlined below.

### **Council's Operational Support for the Brighthouse BID**

**The Council's support for the BID will take practical shape in the following specific ways:**

- Conducting, through the council's Democratic Services, the formal BID vote in accordance with current BID legislation and procedures
- Assuming a positive outcome to the BID vote, collecting the BID levy defined in the BID Business Plan from Brighthouse businesses and transferring the levy sums direct to the Brighthouse BID Company. The Council proposes to make a charge for the BID levy collection and will pay the gross levy sums to the Brighthouse BID Company within 30 days of collecting it.
- Provide a Councillor to sit as a Director on the BID Company Board
- Provide a senior council officer to provide a business-focused dynamic link on all BID matters with senior Council staff
- Paying the appropriate BID levy set out in the Business Plan in respect of all its own hereditaments within the Brighthouse BID area.

**Monitoring and Review**

The Council is committed to the regular monitoring of the operation of the BID Operating Agreement and reviewing its effectiveness in conjunction with Brighthouse BID Company. This will be carried out as follows:

- The Council monitors performance of key services through the Corporate Plan with monitoring reported to the Cabinet. Where there is a specific issue with service delivery within the BID area the respective Head of Service will discuss this with the Brighthouse BID Company.

An annual review of the overall effectiveness of the Operating Agreement. This will be led by the Cabinet member with responsibility for the BID and will reflect the Executive's commitment to address any shortfalls and propose measures to evolve the partnership to the mutual benefit of the Council and Brighthouse BID. These reviews will be scheduled to best effect for the Council's and Brighthouse BID Company's yearly budgeting cycles.



## 7) Research & Consultation

In recent months, a huge amount of research has been undertaken across Brighouse with a wide range of stakeholders to ensure that this plan has an in depth understanding of the views, concerns and aspirations of businesses throughout the area.

We have held extensive dialogue and meetings to decide on the boundaries of the BID, the levy and the priorities and objectives should this proposal be accepted.

The research encouraged participation and engagement across the town centre from every business:

The research encouraged participation from all businesses across the town centre:

- All businesses in the proposed BID area were mailed survey forms and asked to complete them seeking their opinions on a variety of issues.
- A website – [brighthousebid.co.uk](http://brighthousebid.co.uk) – was set up alongside social media profiles to raise awareness about the BID research.
- There was media coverage in all the local newspapers of the BID research, events and workshops giving feedback and opportunities for businesses to contact the BID team.
- All businesses were included in mail shots and publicity including BID newsletters and frequently asked questions.
- 77 businesses in the town participated in detailed one-to-one interviews or completed detailed surveys
- A launch and information event was held at the start of the project.
- A series of Vision, Objective and Budget workshops took place through the development of this business plan where all businesses were invited and discussed their challenges, opportunities and vision for the future of the town centre.
- Active participation and decision making by the business representatives from the Brighouse BID Steering Group in all aspects of the development of this plan.

### **What were the aims of the research?**

The objective of the research was to provide evidence for the development of this business plan, with the aim of:

- Identifying the key issues which impact upon all businesses in the area across all business sectors
- Supporting the development of solutions to address the and which will help businesses achieve their own internal objectives
- Assessing the impact and the relative importance of different potential initiatives on businesses

### **Research Results**

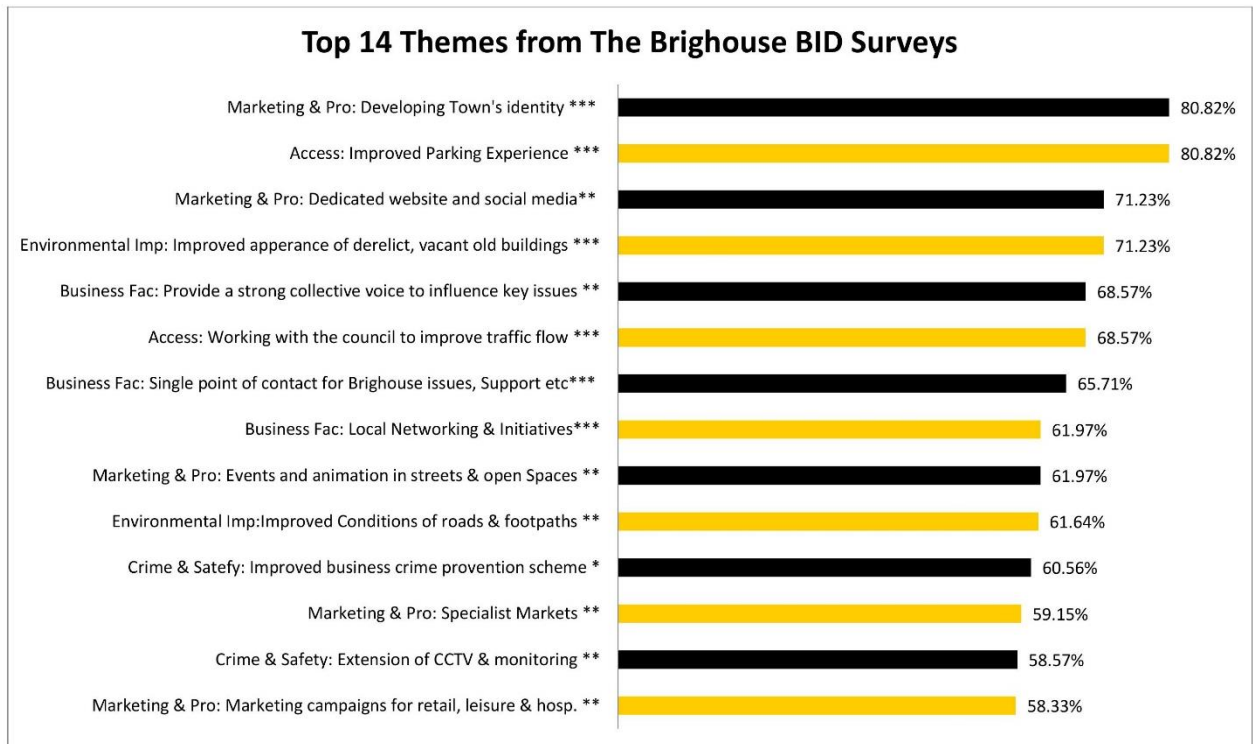
Over the past five years, the research gives a positive impression of business and growth in Brighthouse with 42% saying the town has become a better place to do business in that period, 37% saying it has stayed the same and only 14% believing it has got worse.

73% of businesses have the same number of staff as five years ago but a quarter (25%) say they have increased the number of staff they employ.

These headlines numbers are encouraging – and show why it is important to ensure this growth is on a sustainable level. The challenges to doing this are clear once the research probed deeper into the changes businesses felt were needed and the barriers to growth they encounter.

From an extensive list of options, these were the top 14 themes identified from the completed surveys – they have been categorised as either:

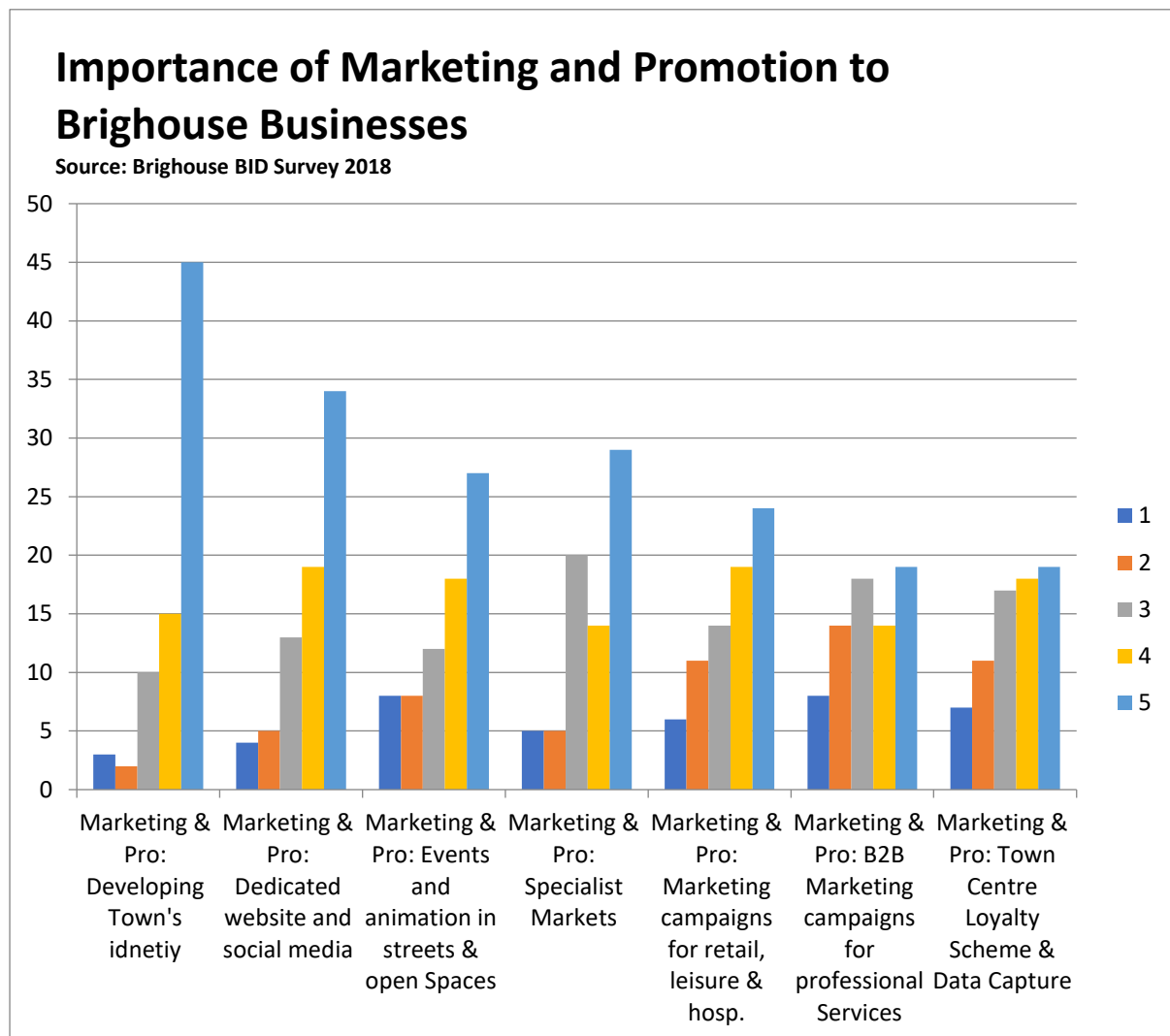
- Marketing & Promotion
- Access
- Environmental Impact
- Business Facilities & Support
- Crime & Safety



Of these 14 themes, a third (five) relate to marketing and promotion giving a clear illustration of priorities for businesses across the town.

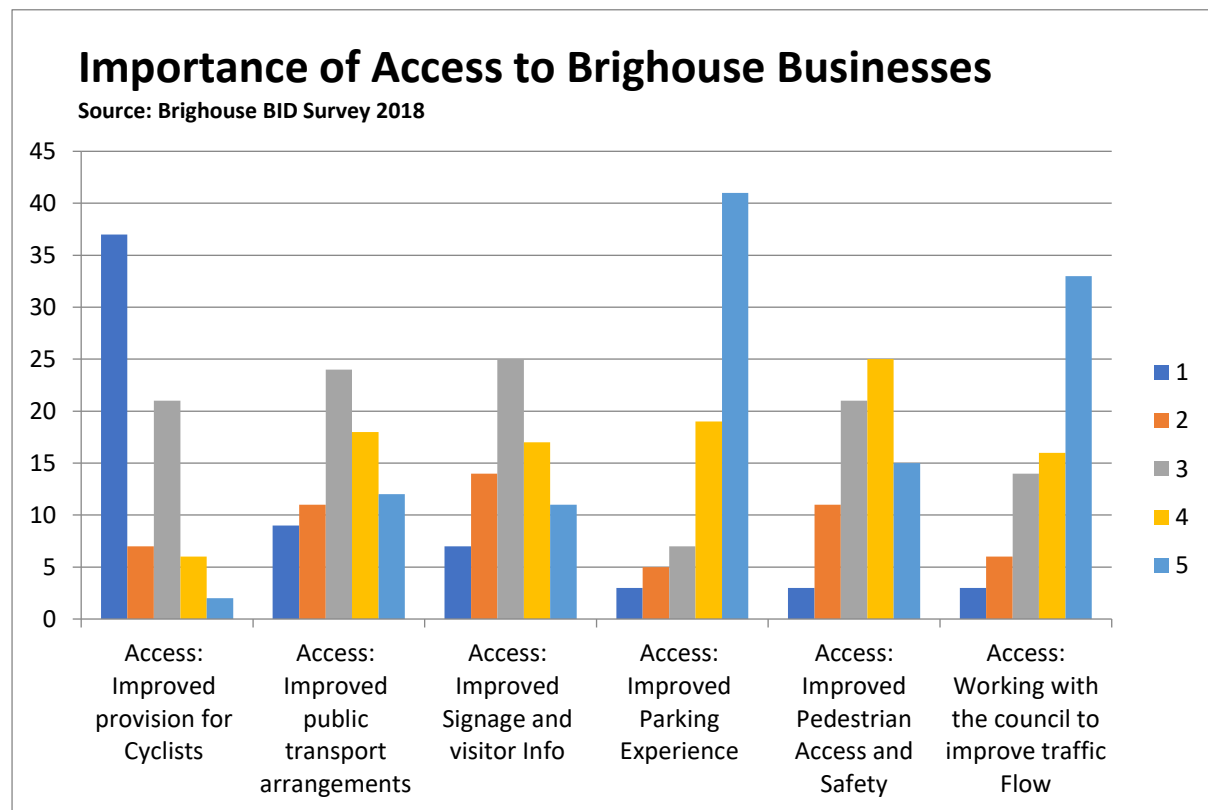
Taking each group in detail:

## Marketing &amp; Promotion



Businesses were asked to rank the importance of a series of statements to help them grow and develop and developing the town's identity was shown to be most important for most businesses, closely followed by a dedicated website and social media to communicate what was happening in Brighthouse and events and animation to make the streets and open spaces more attractive in the first place.

## Access



Given recent events, it will come as no surprise that parking was the most important ‘access’ issue identified in the research – with the availability of parking for customers and staff and the cost of parking seen as crucial for the town centre. 82% of those surveyed said these factors were important for their business.

Allied to this, businesses wanted to work with the Council to address traffic flow within and around the town centre (the second most important ranked issue) and improved pedestrian access (the third by ranking) to ensure shoppers and tourists felt safe and secure when visiting.

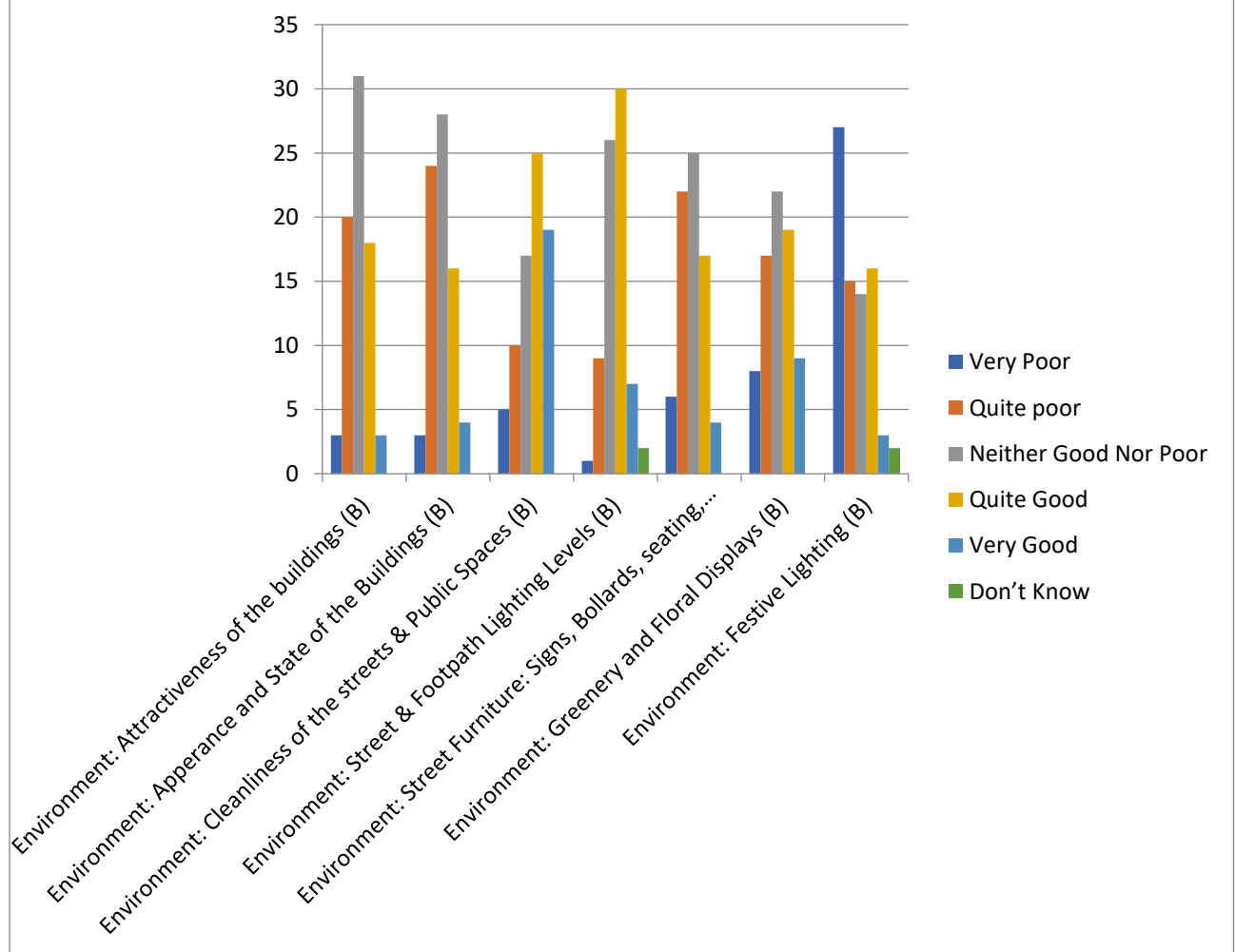
Public transport access, while rated as important, was not a priority for most businesses with many feeling the links were adequate.



## Environmental Impact

### How Brighthouse Businesses Feel About Environmental Attractiveness

Source: Brighthouse BID Survey 2018



Environmental impact was a broad category which focused on the look and feel of the town centre and its importance to businesses.

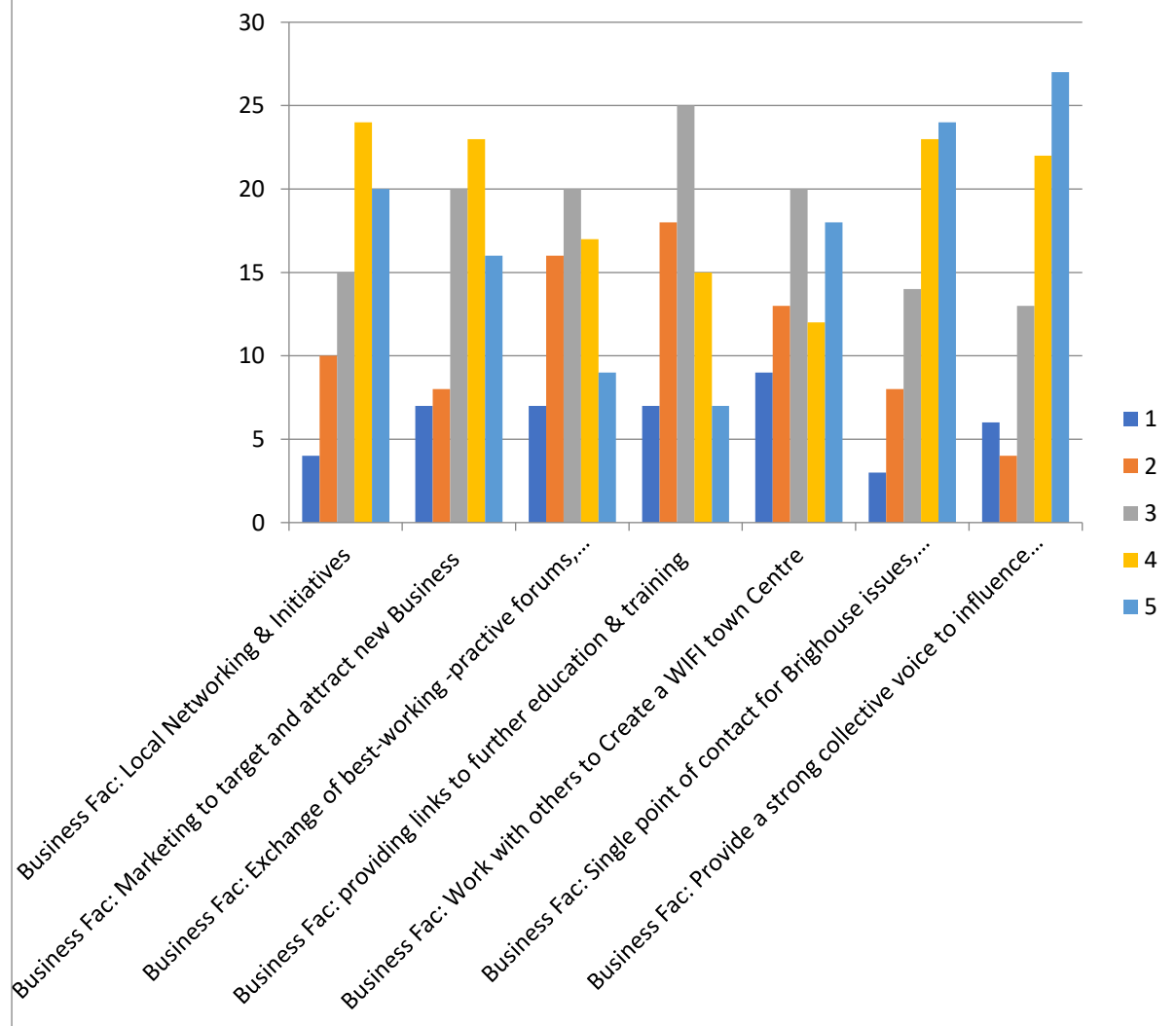
Businesses who took part in the research felt that having an attractive town centre was vital – every respondent said that cleanliness of the streets and public spaces was important to them and 94% said the look of buildings was important in giving the right impression about Brighthouse.

This area was also one where businesses felt there could be significant improvements made. Over half said the quality of festive lighting was poor or very poor while a third said the state of buildings, signs, street furniture and floral displays was also poor. Only cleanliness of streets and public spaces and the level of lighting was rated as a net positive in the survey, illustrating the challenge faced.

### Business Facilities & Support

## Importance of Business Facilities to Brighthouse Businesses

Source: Brighthouse BID Survey 2018



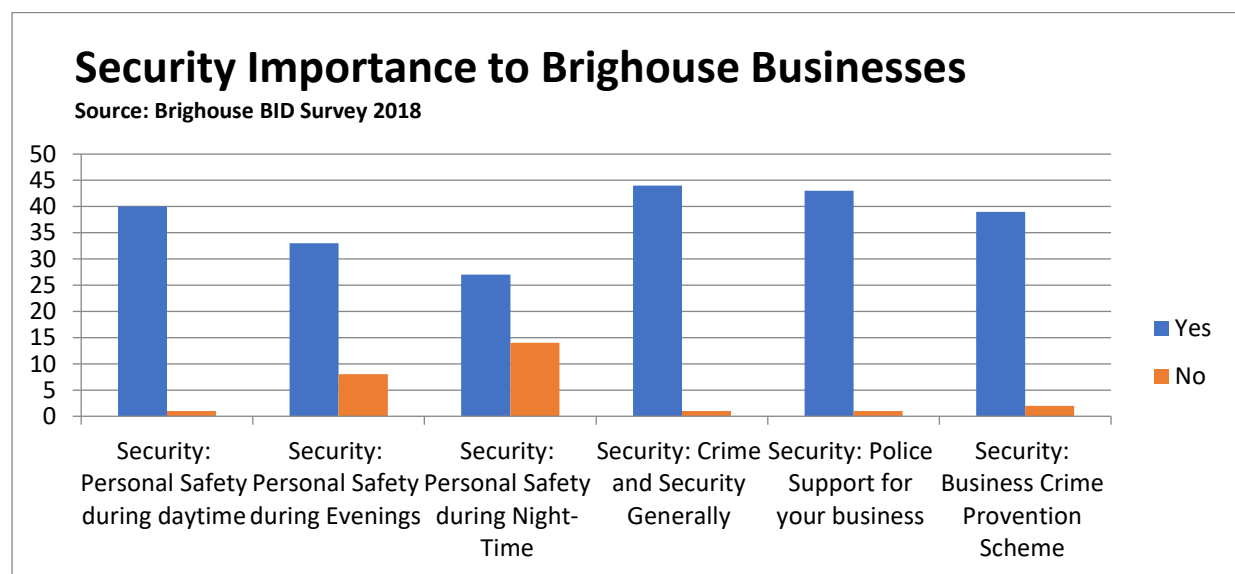
A range of responses were received when businesses were asked about the levels of facilities and support they received, and what was important to them.

One of the biggest challenges, and therefore priorities, identified was the need for Brighthouse to have a collective voice that would be not just heard but listened to by the Council and landlords. 56% of those surveyed believed the interest shown by the Council in the Brighthouse business community was very or quite poor with 37% believing the same was true of landlords.

Over half (51%) believe the way businesses work together in Brighthouse is already quite or very good, but most agreed there was more to be done and it was especially important to ensure every business felt part of the town and its activity.

To ensure that happened, and give a collective voice, a key solution identified was to have a single point of contact for Brighthouse issues and support who was dedicated to the town.

### Crime & Safety



Crime and safety was hugely important for Brighthouse businesses, according to the research. All businesses said this was important for their business, with a strong focus on the importance of police support and crime prevention activity.

38% believe that crime and security in the town generally is quite or very poor with safety during the evenings and at night identified as a particular problem.

To address these challenges, an improved collective business crime prevention scheme was identified as the highest priority closely followed by more CCTV cameras and police support.

## 8) Our Response

After the analysis of the research and taking on board all the feedback from businesses, it is clear that many businesses have strong views on the challenges Brighouse faces but also strong views on solutions.

One recurring theme is the need for Brighouse's voice to be heard – by authorities, by officials, by fellow businesses, by shoppers and by potential visitors. Having a single point of contact and the ability to focus on Brighouse's priorities with decisions made in Brighouse is a crucial element of our BID proposal.

Businesses want to see a town centre that is safe and secure – and many currently do not feel they are working together as effectively as they could, nor getting the support they need, to be able to combat crime and anti-social behaviour.

They also want to ensure people can easily get to the town centre with a welcome that tempts them to stay and return. Parking is identified as a priority and, while decisions on charging would remain for the local authority, we believe having the strong and determined collective business voice that the BID provides would mean the view of the town would have a more significant impact. Ensuring the town's environment is a positive – from the attractiveness of buildings to cleanliness of the streets – is also seen as crucial.

Brighouse has already been put on the map in recent years thanks to the development of the town's events and businesses believe continuing to drive Brighouse as a destination town is important. It is positive that many businesses have had success in recent years, with growth and investment in more staff, and many say the events that have been developed support them and support the town. However, it is important to acknowledge that some do not feel they have been supported by these, and we need to ensure that changes so that all benefit, or have the potential to benefit, in the future.

These priorities have led us to identify three key objectives and the activities of the BID will be focused on achieving these and these are outlined in section 9.

We are confident that all businesses and organisations across Brighouse town centre stand to benefit from the projects and activities we are proposing to meet the three objectives. Putting them in place will be crucial to ensuring a strong, sustainable town centre.

**How will we monitor delivery?**

As with any business plan, the monitoring and measurement of the performance and effectiveness of the BID is an integral part. Businesses need to be confident that their levy money is being invested as productively as possible to maximise results.

Key performance indicators will be set by the BID company and the effectiveness of the measures will be monitored against these – this could be by customer surveys, business surveys, footfall, empty properties, number of events and photographic evidence.



## 9) Our Vision & Objectives

If Brighthouse businesses vote for the BID to proceed with a majority in favour both by number and rateable value, we anticipate BID operations will start on 1<sup>st</sup> April 2019 and will continue for a total of 5 years.

**Our vision is:**

***To create a destination town with a strong and sustainable future which is vibrant, lively and welcoming where businesses, shoppers and visitors feel safe and secure.***

To achieve this, we have set three objectives through which the programme of investment will be focused and delivered:

- **A SAFE & SECURE TOWN** – providing support for businesses and reassurance for visitors that Brighthouse is a town where you will be well looked after
- **A VIBRANT, LIVELY & WELCOMING TOWN** – supporting a Brighthouse that can be proud of its history and character, accessible for all and optimistic about its future
- **A DESTINATION TOWN** – with events that benefit every Brighthouse business, attract new visitors and encourage them to return, shop and spend

### Objectives, Activities & Results

#### Objective 1 – A Safe & Secure Town

***To provide support for businesses and reassurance for visitors that Brighthouse is a town where you will be well looked after***

#### **Budget:**

£36,319 in year one (one third of income after administrative costs)

#### **Activities:**

We will develop and implement initiatives that reduce crime and the fear of crime and ensure that Brighthouse is a town that is safe to visit, shop, work and live.

We will achieve this by:

- Launching a radio system which links retailers and licensed premises allowing them to share information in real-time, support each other and enhance the safety of staff and customers.
- Working with partners at West Yorkshire Police and Calderdale Council to ensure there is a regular uniformed presence in Brighouse.
- Lobbying Calderdale Council to ensure the CCTV system in Brighouse is effective and used effectively as a deterrent.

## **Objective 2 – A Vibrant, Lively & Welcoming Town**

*To develop a Brighouse that can be proud of its history and character, accessible for all and optimistic about its future*

### **Budget:**

£36,319 in year one (one third of income after administrative costs)

### **Activities:**

We will develop a marketing strategy, using a range of communication channels such as online, social media and print to:

- Encourage visitors locally, regionally and nationally to visit Brighouse for retail and leisure
- Attract new businesses into our town and support existing businesses

We will improve the appearance of vacant units and other areas in need of improvement by working with landlords and Calderdale Council to provide:

- Extra cleaning, where appropriate – for example with incidents of graffiti and discarded chewing gum
- Vinyl wrapping of vacant units to advertise the town

We will provide more support for visitors to ensure they know everything Brighouse has to offer, including the development of town trails, maps and use of phone-based apps to showcase the town and its businesses.

We will work with partners to enhance Christmas lighting and summer planting, making a Brighouse everyone can be proud of all year round.

**Objective 3 – A Destination Town**

*To provide support with events that benefit every Brighthouse business, attract new visitors and encourage them to return, shop and spend*

**Budget:**

£36,319 in year one (one third of income after administrative costs)

**Activities:**

We will maintain our famous calendar of events that draws in visitors to Brighthouse to shop, spend and then return in the future.

We will develop a loyalty scheme that supports efforts to encourage shoppers to return, rewards those who do and benefits all town centre businesses by creating return footfall.

We will exert pressure on the Council, as a combined group, to ensure Brighthouse receives investment in the public realm and our road network.

## 10) Organisation & Delivery

The preparation of this plan has been managed by the Brighthouse BID Steering Group which is made up of a cross section of businesses and organisations from across Brighthouse town centre together with representatives from Calderdale Metropolitan Borough Council.

A new and separate company will be set up to act as the BID Company. It will be a not for profit BID company, limited by guarantee which will be legally and operationally responsible to the businesses in the BID area, for the delivery of the BID business plan and its associated activities and will act on their behalf.

The management structure of the BID will be a Board responsible for governance, a Management Group responsible for coordinating activity and delivery and working groups developing the individual projects.

The Board will be elected by the members of the BID Company, drawn predominantly from those paying a levy in the area and made up of a representative cross-section of the businesses and stakeholders of the area and key agencies associated with the successful delivery of the BID project. It will be driven by the private sector and will include one Councillor from Calderdale Metropolitan Borough Council as a Director and one Council Officer who will act as a key operational link, but not as a Director.

The main role of the Board is to safeguard the interests of levy payers by ensuring that the business operates in line with the BID plan, is professional and offers consistent value for money in line with its targets. The Board will ensure that the implementation of the BID will be monitored and delivered cost-effectively, through keeping overheads to a minimum and using methods which will optimise the use of the revenue budget and add real value to the delivery of the plan.

All businesses will be encouraged to be actively involved in a Management Group and associated working groups to represent the levy payers. The Management Group will report to the Board. Through specific working groups, the Management Group will be instrumental in prioritising the requirements of the levy payers into deliverable projects which address their needs, within the framework of the business plan.

The Board and Management Group will provide a consistent, collective and effective voice for the businesses in Brighthouse.

All roles on the Board, Management Group and specific working groups are voluntary and are undertaken with a commitment to represent the interests of all businesses in the area.

Collaborative working will be actively encouraged to build upon the sense of the business community in the area and ensure that the skills and resources available for delivery of the BID are enhanced and deliver best value.

There will also be hands-on project and contract management to support the initiatives from the working groups and Management Group. This support will provide administrative support to the BID Company, coordinate activity with partner organisations and ensure cost-effective delivery of projects through tendering and careful project and contract management.

The Brighthouse BID will be audited annually and the effectiveness of the measures undertaken will be gauged by key performance indicators for each project area, including footfall, customer surveys, business surveys, photographic evidence and retail turnover movement.

Besides regular newsletters and other forms of bulletins, there will be an annual report providing details on activities and performance of the company against the objectives of the delivery plan for the previous year.

All levy payers shall be entitled to be members of the BID Company. There will be an annual general meeting at which all members are invited to attend and vote and at which Directors will be retired by rotation and new Directors elected in accordance with the articles of the company.

## 11) BID Budgets & Finances

Having consulted widely, and spent a lot of time assessing the options, the Brighthouse BID Steering Group propose a levy of **1.75%**.

We strongly believe this figure gives the best balance between giving the right budget to allow our vision and objectives to be met without placing huge added burden on businesses – we are confident the investment from Brighthouse businesses will be worthwhile for all Brighthouse businesses.

The indicative costs to a business are:

Rateable Value	Levy Rate	Annual Charge	This equates to...	
			Weekly	Daily
£1 - £1,999	Zero	Zero	Zero	Zero
£2,000	1.75%	£35.00	£0.67	£0.10
£5,000	1.75%	£87.50	£1.68	£0.24
£7,500	1.75%	£131.25	£2.52	£0.36
£10,000	1.75%	£175.00	£3.37	£0.48
£25,000	1.75%	£437.50	£8.41	£1.20
£50,000	1.75%	£875.00	£16.83	£2.40
£75,000	1.75%	£1,312.50	£25.24	£3.60
£100,000	1.75%	£1,750.00	£33.65	£4.79
£200,000	1.75%	£3,500.00	£67.31	£9.59

To put these numbers into context, over 60% of premises have a Rateable Value of less than £10,000 which means for the majority of businesses, the investment in the Brighthouse BID per day will be less than a second class stamp.

The vast majority (85%) are below a Rateable Value of £20,000 which equates to a contribution of less than £1 a day.

### Brighthouse BID 5-year Budget

In putting together the Brighthouse BID 5-year Budget, we have evenly split the expenditure across the three objectives identified in section 9. As with all budgets, these will be reviewed regularly and we reserve the right to adjust the way the expenditure is apportioned between these three objectives in later years, once the costs of the projects we intend to deliver is more clear. We will keep businesses



across the BID area fully up-to-date with this work with an opportunity for all businesses to contribute to the budget-setting process.

Income	Year 1	Year 2	Year 3	Year 4	Year 5	Total	%age
Bid levy Income (note 1)	£120,419	£122,828	£125,284	£127,790	£130,346	£626,667	
Expenditure							
Objective 1 – A Safe and Secure Town	£36,319	£37,046	£37,787	£38,542	£39,313	£189,007	30%
Objective 2 – A Vibrant, Lively & Welcoming Town	£36,319	£37,046	£37,787	£38,542	£39,313	£189,007	30%
Objective 3 – A Destination Town	£36,319	£37,046	£37,787	£38,542	£39,313	£189,007	30%
Levy Collection	£3,613	£3,685	£3,759	£3,834	£3,910	£18,800	3%
Contingency (note 2)	£6,021	£6,141	£6,264	£6,389	£6,517	£31,333	5%
Accrual for Renewal (note 3)	£1,817	£1,854	£1,891	£1,928	£1,967	£9,457	2%
Total Expenditure	£120,419	£122,828	£125,284	£127,790	£130,346	£626,667	

- Note 1 – Assumes a 95% collection rate and 2% per annum inflation
- Note 2 – Calculated as 5% of total levy billed
- Note 3 – Accrual retained from levy revenue to provide for costs of renewal of the BID for any further term, otherwise they will be spent on additional projects in the final year

### **Cost of the BID Development**

The costs incurred in undertaking the research, developing the BID proposals and holding the ballot are being met by Calderdale Metropolitan Borough Council, but this proposal and our vision has been produced entirely independently by and for Brighthouse businesses.

### **Sources of Additional Funding**

The BID Company is committed to seeking additional funding where possible to increase the benefits that can be delivered by the BID to businesses. Other possible income sources will include grants where the criteria matches the aims of the business plan, voluntary contributions from property owners, companies and organisations outside the BID area and those not liable for the levy.

Through discussion, developers, property owners and other stakeholders in the area will be invited to participate in the Business Improvement District and improve delivery against the business plan objectives even further.

### **Application of BID Funds**

The BID funds will be ring-fenced and will be controlled by participating businesses. Details of the BID Company's accountability to businesses are given in Sections 10 and 13.

The budget headings and the project costs can be altered within the constraints of the revenue received through the levy. The BID Company will be empowered to move funds between budget headings to provide the services which best meet the requirements of the BID area. Such adjustments will be fully accountable to the businesses through the performance monitoring arrangements set out in Sections 6 and 9.

### **Governance and Management of the BID Budget**

In order to ensure that the projects remain relevant and continue to address needs and priorities of the businesses in Brighthouse during its five year life, the Management Group may from time to time make recommendations to the Board that budget allocations are modified for each of the main projects and the management and administration of the BID.

It will be the responsibility of the Board to assess these recommendations and make adjustments to the allocations of expenditure budget as and when they deem appropriate.

It will be the responsibility of the Board to ensure that all the vision and objectives of the BID, stated in Section 9, continue to be addressed and that all BID activity contributes towards the achievement of the vision.

The Board will also monitor and gauge the effectiveness of the BID operations and activities.

## 12) Brighthouse BID Levy Criteria

1. This Schedule shall form the BID Levy Rules which sets out how the BID Levy will be calculated, details of Exempt Properties and other requirements related to the BID Levy.  
  
No variation or amendment shall be made to the BID Levy Rules unless agreed in writing by Calderdale Metropolitan Borough Council (CMBC).
2. The Brighthouse BID Steering Group has tried to balance the ambitions of businesses in the BID plan against the affordability of the BID Levy and the requirement to ensure that the BID is able to deliver best value. In accordance with the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 (S.I. 1989/1058) and the Non-Domestic Rating (Collection and Enforcement) (Miscellaneous Provisions) Regulations 1989 (S.I. 1989/1060), CMBC will be responsible for the imposition, administration, billing, collection, recovery and transfer of the BID Levy to BBL in accordance with the terms of this operating agreement. CMBC will also be responsible for any enforcement action that may be appropriate in case of non-payment of the BID Levy.
3. Assuming a positive BID vote in respect of the BID Proposal by a simple majority of businesses by both number of businesses and combined rateable value (RV) of those who vote, the BID Levy will be charged on all Hereditaments listed in the 2017 local Non-Domestic Rating List in operation within the BID Area with the exceptions of those exempt from the BID Levy.
4. With the exception of properties exempt from the BID, the BID Levy shall be applied to all businesses within the BID Area, irrespective of whether a business was eligible to vote in the ballot or the manner in which a business voted in the formal BID Proposal ballot. For the avoidance of doubt, the BID Levy shall also be applied to any business that has not voted in the formal BID Proposal ballot because it was not liable for business rates as a ratepayer at the time of the ballot or was in occupation but had not been registered as a Business Rates Payer at the time of the ballot. The BID Levy is collected by the Billing Authority, which is CMBC. The organisation established to operate the BID will invoice CMBC for the BID Levy collected for exclusive use of the BID.
5. All businesses which are listed as liable for business rates and including those not exempt from empty rates on 13 September 2018 with a rateable value of £2000 or more will be entitled to vote on the BID Proposal in a 28 day postal ballot which will commence on 28 September 2018 with the close of ballot at 5pm on 25 October 2018. The result will be announced the following business day or as soon as possible thereafter.
6. If a simple majority of those businesses as provided for in paragraph 4 above, who have cast a vote on the BID Proposal, vote in favour of the BID Proposal, the BID will commence operation on 1<sup>st</sup> April 2019, and will be for a fixed term of 5 years (subject to earlier

termination in accordance with the terms of this operating agreement with CMBC).

7. CMBC shall maintain a database of all liable Hereditaments and BID Levy Payer accounts, which enables the BID Levy to be effectively administered and accounted for. Data extracts will be made available to HBL upon reasonable request although the Council reserves the right to charge additional costs if necessary.
8. Each BID Financial Year will commence on 1<sup>st</sup> April and shall last for 365 days (366 in a leap year). The BID Levy is a daily charge based on the rateable value as determined under this agreement on each defined Hereditament within the scope of the BID.
9. It is to be paid in full in advance, the payment date being the 1<sup>st</sup> April of the BID Financial Year to which the BID Levy relates. The daily BID Levy for each individual ratepayer is to be calculated by multiplying its rateable value by the BID Levy percentage applicable to the relevant BID Financial Year (including any inflationary increase applied during the BID term) and dividing the result by the number of days in the relevant BID Financial Year.

#### **BID Levy Amounts**

10. The BID Levy amounts for BID Levy Payer(s) who have business premises will be calculated as follows:
  - a. In the first year of operation – 1 April 2019 – 31 March 2020, the BID Levy will be calculated for each chargeable day by multiplying 1.75% by the 2017 List rateable value (RV) shown on the non-domestic rating list as at 31<sup>st</sup> March 2019 for each defined hereditament within the scope of the BID, with the exception of those premises with a rateable value of less than £2,000 or those with an RV of £1 million or more.
  - b. Properties with a rateable value of £1 million or more showing on CMBC's NNDR billing system as at 31<sup>st</sup> March 2019 shall be subject to a cap as set out below (including any BID Levy Payer(s) that have submitted an appeal which remains undetermined at the time of the BID Proposal ballot but is agreed by the commencement of the BID Term and where the change is notified on a schedule prior to 1 April 2019).
  - c. Ratepayers with a rateable value of less than £2,000 will not be liable for the BID Levy so will therefore pay nothing and will not be entitled to vote on the BID Proposal. Any business with a rateable value below £2,000 is permitted to enter into a voluntary arrangement direct with the BID Company to enable it to benefit from the full range of services provided by the BID. Such properties will still be recorded on the list of properties within the BID area along with all properties that are exempt from the BID Levy.

- d. The total BID Levy payable in any one BID Financial Year during the BID Term for any single Hereditament with a rateable value of £1 million or more as shown on CMBC's NNDR billing system as at 31 March 2019, shall be capped at £20,000 in year 1. Such cap shall not apply where any increase in the BID Levy charge is a result of an annual inflationary increase pursuant to paragraph 19(e) below.
- e. There will be an annual inflationary increase of all BID Levy charges year on year for the duration of the BID Term. This will be a minimum of a 2% increase year on year or the inflation percentage as determined by the Consumer Price Index as at the 1<sup>st</sup> December of the preceding year to the relevant BID Financial Year to which the BID Levy increase relates, whichever is the greater. The increase in the BID Levy shall be rounded to the nearest tenth of a penny (e.g. if a BID Levy charge in the proceeding year is 1.75% and the CPI inflation increase applied to the BID Levy for the following year is 3%,  $1.75\% \times 1.03 = 1.8025$  and would be rounded down to 1.80). Negative inflation will not apply. Inflation will not apply for the first full billing cycle in 2019

#### **Setting the annual BID Levy**

- 11. The annual BID Levy for all chargeable properties will be calculated by the 10th March or as soon as reasonably practicable thereafter in the first BID Financial Year and no later than 14th March or as soon as reasonably practicable thereafter in subsequent BID Financial Years during the BID Term. In particular, CMBC shall:-
  - a. calculate the BID Levy due from each BID Levy Payer in accordance with the BID Levy Rules;
  - b. confirm in writing to BBL, as soon as practicable after having calculated the total BID Levy payable the BID Levy payable annually by each BID Levy Payer; and
  - c. provide the Annual Budget Report.

#### **Billing and Method of Payment of the BID Levy**

- 12. The BID Levy Payers shall be billed for the BID Levy by a separate BID Levy Demand Notice sent out as soon as is reasonably practicable in accordance with paragraph 11 above
- 13. The BID Levy is due for payment in a single instalment due on the 1<sup>st</sup> April in the first year and the 1<sup>st</sup> April of each year thereafter during the BID Term. If a Demand Notice is issued part way through a year, this will state that payment is due within at least 15 days from the date of issue of the demand notice.



14. There will be no facility to make payment of the BID Levy by instalments unless otherwise agreed on a case by case basis with BBL
15. There will be no facility to send bills electronically during the first year of operation at least.
16. The methods of payment available to BID Levy payers by CMBC include BACS, credit/debit card, cash or CMBC online payment facility. 17. There will be no facility to either receive payments by direct debit or to make payments directly into a bank / building society account.
18. CMBC shall serve Demand Notices on each BID Levy payer and thereafter shall continue to calculate the BID Levy and serve the Demand Notices throughout the BID Term.
19. BID Levy payments received by CMBC shall be allocated to the correct account where known. Where not known and the intended allocation cannot be determined, CMBC reserve the right to allocate the relevant payment in line with its standard procedures which initially shall be allocate to the oldest undisputed debt first and then in the proportion of the original debit. Notwithstanding the latter of this paragraph 19, it is CMBC's standard procedure to allocate all payments in priority, with payments firstly being allocated to any costs incurred by the CMBC in recovering the BID Levy (e.g. if a summons is issued by CMBC for non-payment of a BID Levy in the sum of £1,000 and £91.00 is incurred by CMBC as its costs, a payment of £1,000 made by the BID Levy Payer would be allocated in the following order of priority: £91.00 to cover the costs incurred by CMBC and £909.00 in respect of the BID Levy).

#### **Liability for the BID Levy**

20. The BID Levy shall be payable by businesses that are liable to pay business rates, including empty properties (subject to the provision in paragraph 23. Exempt Properties within the criteria laid out in paragraph 24 will not be subject to the BID Levy.
21. The liable person (the BID Levy Payer) is the ratepayer liable for occupied or unoccupied premises under either section 43 or 45 Local Government Finance Act 1988.
22. The BID Levy will be charged annually in advance, although BID Levy Payer(s) who cease to have liability for business rates during the relevant BID Financial Year will be entitled to a pro-rata refund of any BID Levy paid for the remainder of the relevant BID Financial Year where such refund is £50 or greater. The BID Levy Payer shall not be entitled to any pro-rata refund which is less than £50.00 and the BID company shall be entitled to retain any such amount without any further liability of CMBC to the BID Levy Payer. Any new occupier will be charged the BID Levy on a pro-rata basis in respect of the relevant BID Financial Year at the time the property becomes occupied where the total amount due on the charge is £50 or greater. For the avoidance of doubt, this means that where the BID Levy Payer pays the BID

Levy for the BID Financial Year but ceases to have liability for the property at some stage during the year, a refund of payments already made to the BID company will only be made where the credit on BID Levy Payer's account is £50 or more. Furthermore, any new occupier will not be liable for any BID Levy for the remainder of the first BID Financial Year in occupation if the total charge would be less than £50.00 but for the avoidance of doubt, will be responsible for the BID Levy in the normal manner under the BID Levy Rules for subsequent BID Financial Years.

### **Change in circumstances during the BID Term**

23. Any changes during the BID Term will be governed as follows:

- a. New premises, or properties which were not included in the rating list on 31st March 2019 but become subject to rates in the BID Area during the BID Term (including new premises on streets newly created within the BID Area after the commencement of the BID Term, will pay a pro-rata BID Levy for each day it is subject to the BID Levy in the relevant BID Financial Year based on the % criteria for that BID Financial Year and based on the Hereditament's rateable value in the 2017 rating list at the effective date.
- b. Where a property within the BID area is split after the commencement of the BID Term, separate pro-rata BID Levies will be payable for each day in the relevant BID Financial Year (during which the premises are split) on each of the revised premises from the effective date of split on the basis of the new Hereditament's RV in the 2017 rating list and based on the % criteria for that BID Financial Year. Any previous assessments (prior to the split) shall be deleted from the rating list ("Deleted Assessment") and replaced with the new ratings for each of the separate properties which shall form the basis of the new BID Levies for each subsequent BID Financial Year. Any adjustments or refunds applicable to Deleted Assessments shall be made in accordance with paragraph 23(e) below.
- c. Where premises are merged, a pro rata BID Levy will be payable for each day in the relevant BID Financial Year (during which the premises are merged) on the revised premises from the effective date of the merger on the basis of the new Hereditament's RV in the 2017 rating list and based on the % criteria for that BID Financial Year. Any previous assessments (prior to the merger) shall be deleted from the rating list ("Deleted Assessment") and replaced with the new rating which shall form the basis of the new BID Levy for each subsequent BID Financial Year. Any adjustments or refunds applicable to Deleted Assessments shall be made in accordance with paragraph 23(e) below.
- d. Any change of use to a property shall not affect the BID Levy Payer's liability for the BID Levy. Any change of ownership (or the creation of a new business within the BID Area

will be liable to the BID Levy rate current at the time of the change in accordance with the BID Levy Rules (with any pro-rata refund permitted only in accordance with the BID Levy Rules).

- e. Adjustments will be made for changes in occupation and if a property is deleted from the rating list (a Deleted Assessment whether by a split or merger) and revised bills issued provided that the amount of the charge or refund of the BID Levy is £50 or greater. The charge or refund amount of the BID Levy will be calculated pro rata between the date of the change in occupation and the end date of the relevant BID Financial Year ("Calculation Period"). The BID Levy Payer shall be entitled to a pro-rata refund of any BID Levy paid in respect of the Calculation Period where such amount is £50 or greater. Any refund amount which is less than £50 shall be retained by the BID company without any further liability of CMBC to the BID Levy Payer. For the avoidance of doubt, the BID Levy Payer will be responsible for payment of the BID Levy in the normal manner under the BID Levy Rules for subsequent BID Financial Years.
- f. Where any Hereditament which meets the criteria for payment of a BID Levy (and is not an Exempt Property as defined in paragraph 24 of this Schedule 1), becomes vacant during the BID Term, the Hereditament will not be liable for a BID Levy for the first three calendar months of such vacancy starting on the date the property was last occupied. The BID Levy will become payable from and including the day after the expiry of the 3-month period.
- g. No amendments will be made to the rateable value of any property in the BID Area as a result of any general or property specific re-valuation within the BID Term other than as set out above.

#### **Exemptions from the BID Levy**

- 24. No other relief from the BID Levy is available to any class of non-domestic ratepayer and subject to paragraph 23 above, no distinction shall be made between occupied or unoccupied Hereditaments (both occupancy statuses shall be liable for the full BID Levy. In addition to paragraph 23 above, the following Hereditaments shall be deemed Exempt Properties on any day that the hereditament remains unoccupied following the expiry of the 3 month period -
  - a. Any Hereditament whose owner is prohibited by law from occupying it or allowing it to be occupied;
  - b. Any Hereditament which is kept vacant by reason of action taken by or on behalf of the Crown or any local or public authority with a view to prohibiting the occupation of the Hereditament or to acquiring it;

- c. Any Hereditament which is included in the Schedule of monuments compiled under section 1 of the Ancient Monuments and Archaeological Areas Act 1979(b);
- d. Any Hereditament where, in respect of the owner's estate, there subsists a bankruptcy order within the meaning of section 381(2) of the Insolvency Act 1986(c);
- e. Any Hereditament whose owner is entitled to possession of the hereditament in his capacity as trustee under a deed of arrangement to which the Deeds of Arrangement Act 1914(d) applies;
- f. Any Hereditament whose owner is a company which is subject to a winding-up order made under the Insolvency Act 1986 or which is being wound up voluntarily under that Act;
- g. Any Hereditament whose owner is a company in administration within the meaning of paragraph 1 of Schedule B1 to the Insolvency Act 1986 or is subject to an administration order made under the former administration provisions within the meaning of article 3 of the Enterprise Act 2002 (Commencement No. 4 and Transitional Provisions and Savings) Order 2003(e);
- h. Any Hereditament whose owner is entitled to possession of the Hereditament in his capacity as liquidator by virtue of an order made under section 112 or section 145 of the Insolvency Act 1986.
- i. Any Hereditament where it is a place of religious worship, a hostel, a place of refuge or a place of rehabilitation.

#### **Vacant Property and the Initial Levy Free Period**

- 25. A Hereditament which is the subject of a building preservation notice within the meaning of the Planning (Listed Buildings and Conservation Areas) Act 1990(a) or is included in a list compiled under section 1 of that Act will be subject to the BID Levy unless the property is vacant under paragraph 23 or where the property is subsequently exempt pursuant to the criteria set out in paragraph 24 of this Schedule. For the sake of clarity, where a Hereditament under this paragraph has become vacant during the BID Term, the Hereditament will not be liable for the BID Levy for the first three calendar months of such vacancy, such period starting on the date the property was last occupied. The BID Levy will become payable from and including the day after the expiry of the 3-month period.

#### **Charities**

- 26. Any hereditament where the occupier is a charitable or not for profit organisation will not be entitled to any form of relief and will pay a BID Levy as per this schedule.

### **Procedures for enforcing payment of the BID Levy**

27. In the event that the BID Levy is not paid within 14 days from the date that it becomes payable then (subject to the exceptions, or as may otherwise be agreed between the parties), CMBC shall serve a Reminder Notice on such relevant CMBC shall serve a Reminder Notice on such relevant BID Levy Payer which shall:-
  - Identify the sum payable
  - provide a further 14 days from the date of issue of the Reminder Notice for payment to be made
  - Confirm that CMBC will make an application to the Magistrates' Court or any other Court of competent jurisdiction for a Liability Order to recover the unpaid sum and costs if payment is not received within the timescale set out in the Reminder Notice.
28. If, after a further 14 days from the Payment Due date stated in the Reminder Notice, the outstanding sum of the BID Levy remains unpaid, CMBC shall, unless otherwise instructed by BBL, lay a complaint at the Magistrates Court or other court of competent jurisdiction and request the issue of a summons and subsequently make an application for a Liability Order to recover the outstanding sum of the BID Levy and additional court costs as is permitted by the Regulations and the Non-Domestic Rating (Collection & Enforcement) (Local Lists) Regulations 1989 (as amended).
29. CMBC shall make recommendations to the BID Board on debts deemed to be Bad or Doubtful Debts,
30. CMBC shall only write off Bad or Doubtful Debts on receipt of an approval in the form of a signed authorisation from the designated BID Project Manager who will have had it approved by the BID Board.

## 13) The Risks

### The responsibilities of BID Company

The BID Company will be a legal entity and a significant business in its own right. It will not only have all the attendant risks and responsibilities that go with this but also, subject to the vote in favour of the BID, will have a mandate from the businesses in the area to deliver the BID Business Plan. This is a significant responsibility which has an influence over the commercial prosperity of Brighouse, the businesses in the area and their staff who rely upon it for their living.

It is important therefore, to articulate some of the external and internal issues that have a direct bearing on the ability of the Company to trade successfully, as well as highlight the consequences of not adopting the principles of the BID and the benefits that accrue from the delivery of the plan.

BIDs have been proving their worth and commercial value across the UK over the last eleven years as effective mechanisms to improve trading environments for all sorts and types of businesses. Where BIDs have reached the end of their first term the majority have seen even greater votes in favour and larger turn-outs than the first time of voting. They are seen as providing businesses with very effective returns on investment. There are other towns and cities in the north which now have Business Improvement Districts these include Halifax, which started in 2017, Leeds, Sheffield and Otley.

### Working with key partners

In order to deliver exceptional value for money within the framework of the aims and objectives of the plan, the BID will work closely with other key stakeholders such as property owners, developers, the Borough Council and the Police. It will seek, wherever possible to influence and shape larger projects to the benefit of its own aims while supporting others to achieve their own objectives.

In working with others, the over-riding principle of the BID should not be compromised ie. that the BID is providing services and benefits additional to those which would have happened if the BID had not been in existence.

### Sustainable mechanism for the development of Brighouse

The BID is a unique mechanism which combines solid business support with a compulsory payment scheme which creates benefit for all on an equitable basis. It also guarantees constant cash flow to

deliver the projects and priorities identified by the businesses. It provides a solid platform for the BID Company to control costs, plan over the longer term and rise to the expectations of its stakeholders.

A contingency is contained within each of the project areas, meaning, that should the income from the additional voluntary contributions fall short of those budgeted for any period, costs can be adjusted accordingly.

In the unlikely event that circumstances beyond the control of the BID Company mean that it fails to bring about the benefits envisaged, the business electorate will have the final say.

At the end of the five years years, if no discernible difference is detected then a vote against renewal can be made which would simply “switch off” the BID and, with it, all business contributions.

There is no plan to rely upon bank or other financial support other than the levy and so there is no prospect of financial insecurity. In any event, the Company will produce monthly management accounts and financial forecasts for information for the Board, nominated by the levy payers. Appointed auditors will produce end-of-year accounts, made available to all contributors and the local authority and these will be filed at Companies House in the normal way.

The Company will be VAT registered to ensure that the tax can be reclaimed on expenditure. It is also anticipated that it will benefit from mutual trading status meaning that it is exempt from any Corporation Tax liability.

## 14) Conclusions

We recognise that Brighouse is made up of groups of different sorts of businesses, who all have different focuses and different aims. But what makes Brighouse special is diversity coupled with desire - to improve our town for those who live in and around Brighouse, those who own and run businesses across Brighouse and those who visit to shop, see and spend throughout Brighouse.

Our Steering Group is not made up of officials who have nothing to do with Brighouse or nothing to do with business, it is made up of those who live and work in Brighouse day-in, day-out who want our town to succeed and want our businesses to thrive.

To do that, we believe it is right for each business to invest a small amount in giving a sustainable future for Brighouse, controlled by Brighouse with decisions made in Brighouse, for Brighouse. That is what the Business Improvement District will provide.

We hope you agree that this proposal presents a clear direction for Brighouse's future, we hope you will get involved, we hope you will vote YES in the ballot this autumn.

**Lesley Adams, Euan Noble, Anne Colley, Andrew Hawley,  
Hugh Skellington, Graeme & Laurina Curry**  
The Brighouse BID Steering Group



## APPENDIX

## Appendix 1 - Definitions

- The following terms, used throughout this Proposal document, shall have the same meaning as provided in the Local Government Act 2003 and the Business Improvement Districts (England) Regulations 2004.
- This document is a BID proposal for the purposes of the Act. If approved it will become the BID arrangements which govern the way in which the BID levy can be used.
- “the 2003 Act” means the Local Government Act 2003.
- “the 1988 Act” means the Local Government Finance Act 1988.
- “BID” means Business Improvement District.
- “BID ballot” means a ballot under section 49(1) of the Local Government Act, 2003.
- “BID body” means, the body (whether corporate or not corporate) responsible for the implementation of the arrangements in this case defined in the plan as the ‘Brighthouse BID Company’ whose final company name has yet to be determined.
- “BID proposer” means a person who draws up BID proposals in the plan the ‘Brighthouse BID Steering Group’
- “commencement date” subject to regulation 9(12) of the Business Improvement Districts (England) Regulations 2004, means the day, pursuant to section 53 of the 2003 Act, the BID arrangements are to come into force.
- “hereditament” means anything which is or is treated as being a hereditament by virtue of the provisions of or any provisions made under section 64 of the 1988 Act including any hereditament to which regulation 6 of the Non-Domestic Rating (Miscellaneous Provisions) Regulations 1989 applies but otherwise excluding any hereditament to which regulations made under section 64(3)(b) of the 1988 Act apply.
- “renewal ballot” means a ballot under section 54(2) of the 2003 Act.

**Appendix 2 – BID Area – By Street**

BETHEL STREET	PARSONAGE LANE*
BRADFORD ROAD*	PHOENIX STREET
BRIDGE ROAD	SHIP STREET
BRIGGATE	THORNTON SQUARE
CANAL STREET	UPPER BONEGATE
CHAPEL COURT	WAKEFIELD ROAD*
CHURCH LANE	WELLINGTON ARCADE
CLIFTON ROAD*	WEST PARK STREET
COMMERCIAL STREET	WHARF STREET
DAISY STREET	WOOD STREET
GANNY ROAD	
GROVE STREET	
HALIFAX ROAD*	
HALL STREET	
HEATON STREET	
HIGH STREET	
HUDDERSFIELD ROAD*	
KING STREET	
LAWSON ROAD	
MARKET STREET	
MARTIN STREET	
MILL LANE	
MILL ROYD STREET	
OAK HILL ROAD*	
OWLER INGS ROAD*	
PARK ROW	
PARK STREET	

\* part of this road is included, please check the map in section 5. For any specific enquiries about whether a property is covered, please contact the BID team on 01422 392 234.









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