

Summary of comments received previously on the draft BID guidance document were; -

- doubts are expressed about BIDs being supported beyond the bigger businesses, some feel that to be successful BIDs will need to cover big geographical areas and include large numbers of ratepayers. Outside of the large towns in Wales, some have doubts about it's feasibility. A distinct Welsh approach is needed that is appropriate to the circumstances in Wales. Needs to demonstrate how minority stakeholders, i.e. smaller business can benefit;
- improvements brought about by BIDS must be additional to those that the local authority must provide and the BID levy should only pay for these additional services/improvements, guidance mentions a BID setting baseline agreements with LA's or Service Level Agreements but these do not seem to exist within LA's. More guidance is needed in this area;
- for a BID to be successful key partners need to be motivated, some feel a BID cannot be established effectively unless there has been previous experience of private/public sector partnerships or they already exist;
- funding needs to be available to cover the developmental stage or start up costs of setting up a BID, pump priming from Government needed. Also who picks up costs of debts incurred on the BID;
- concerns about funding a BID up to the ballot stage if then at ballot the BID is unsuccessful and also about who picks up the costs associated with the development of the BID if the LA then exercises it's power of veto;
- there are concerns about the local authority power of Veto and needs guidance on when this can be exercised;
- a number of issues are raised surrounding the ballot such as who is entitled to vote, who is defined as the ratepayer, what should be the owners participation, primary legislation stipulates the majority rules for the ballot but there should be the inclusion of turnout thresholds in legislation, timescale of the ballot needs further consideration. Billing issues raised, most in favour of one bill which includes the BID levy but how will the BID levy will be included on the bill, must be clear.;
- software implications for local authorities will need to be considered if BID levy is to be included on Non - Domestic Rates bills;
- collection of the BID levy, what happens if LA collection rates are low, how will the BID be assured of its money;
- calculation of the BID levy could be on "banding" similar to domestic rates, could also be calculated on daily basis, ability to pay needs to be considered, use of relief's etc., voluntary contributions need to be enforceable in some way;

Summary of comments on the English Regulations.

- how will void properties be treated;
- whether the BID body should be a legal entity;
- the role of property owners in BID and whether the property owner should contribute to the levy where there is no tenant in the property;
- whether the threshold of 20% of support for the BID before the ballot can be held is too high or too low;
- a central BID register should be created to monitor BIDs being set up;
- the six week notification to the SoS of BID proposal, prior to the BID ballot, (so that a BID register can be maintained) is too short a timescale notification should be at least 12 weeks before the ballot;
- ratepayers must receive the necessary information about the BID to make an informed decision, a statement must be given to them about the proposals but the statement must contain the necessary information and the regulations are not specific enough about this;
- BID proposals must distinguish between LA baseline services and services to be funded by the levy. The proposal must clearly set this out and what happens if a third party is sub contracted to supply the services;
- the proposal set out in schedule 1 should include a system of measurement and evaluation, details of others contributing to the BID such as property owners and the structure of the BID who are the responsible officers etc so that its accountability is understood;
- a 60% turnout threshold at the ballot is proposed so that with limited publicity a very small majority could push through a vote. A poor turnout should signify poor communication by those proposing the BID and therefore lack of support for the proposal;
- timing of the ballot and receipt of ballot papers needs consideration to give sufficient time for ratepayers to study the proposals; 28 days for the ballot process should be extended;
- registration of any prospective BID should be 6 months in advance of the ballot;
- there should be recourse to a formal appeal procedure for those unhappy with the procedures in setting up a BID;
- the ballot needs to define the financial amount to be charged for administering the ballot, concerns that some LA's will charge a profitable cost for administering the ballot, BID should not be burdened with costs from its inception, more spent on the ballot means less available for the improvements;
- Inspection of BA records needs to be available and easily accessed in electronic format to those canvassing a BID vote;
- the BID should support the LA Local Plan and this should be clarified before going to vote;
- timescale for appeals against the veto needs amending from 28 days to 42 days;
- administration of the BID levy arrangements is inadequate as it leaves the BID to look at issues relating to empty properties, splits and mergers etc.;
- LA power of termination of BID needs careful consideration so that there is not overwhelming control of the BID;

We also received some general comments that did not relate specifically to the issues raised regarding the regulations. These included the fact that the BID regulations seem to require a lot of resource to be able to comply with the detail contained in them. It is thought that this resource will only exist in the larger areas and so the larger areas will become even more attractive as a result of the BID, to the detriment of the smaller town centres and so a "cut down" scheme should be developed to fit the Welsh context. Concerns are expressed about how they will operate in areas where no partnerships have previously existed. Displacement issues are raised, a BID could displace problems of crime etc to areas where there is no BID therefore the BID should consider the effects of its proposals. Also the BID should not place additional rates on any voluntary organisation without its agreement.