

Schedule 1 – The BID Levy Rules / Arrangements

This Schedule sets out in further detail the technical and budgetary information relating to how Advancing Aberystwyth (BID) in Aberystwyth Town Centre will operate. In so far as the arrangements between the BID Company and the Council are concerned in the event of any conflict between the body of this Agreement and this Schedule arising then the Agreement shall prevail over this Schedule.

1. Definitions

Definitions of words or terms referred to in these arrangements are those set out or referred to in The Business Improvement Districts (Wales) Regulations 2005, the Local Government Act 2003 and Local Government Finance Act 1988 unless expressly defined in this Agreement

2. The BID Proposer

The BID proposer is the Advancing Aberystwyth BID Steering Group. The BID body will be the Advancing Aberystwyth Business Improvement District (BID) Ltd. It will be incorporated as a company limited by guarantee in the event of a positive ballot result in March 2016.

3. Governance

The BID will be run by the Board of Advancing Aberystwyth BID Company Limited.

The proposed Board will reflect that of the businesses in the BID area to ensure a representative body to lead the development of the Advancing Aberystwyth BID. The business representatives included in this, should be drawn from all sectors to ensure balanced representation.

Up to 15 directors will be appointed to serve the board and the profile will include different sectors, different sizes, multiples and independents, night and day time economy, hospitality, service and retail providers. In addition other stakeholders will be invited including a resident, community group, the council, police and transport provider.

It is expected that the Board will set up delivery groups that will operate: Access & experience, Town Centre Environment, Marketing & Promotions and Business Support. These are sub-groups

to the Board and are formed from BID Members, who are responsible for developing detailed project budgets for their group, which are then passed to the Board for approval. All businesses are given the opportunity to be represented on these sub-groups and the Board. Additional theme groups will be set up as and when required.

4. Membership of the company

All new BID levy payers not currently formal Company Members, will be invited to become a Member of the Company. Company Members may subsequently nominate themselves for directorships or to sit on one of the BID's theme groups.

The Board will manage the executive team, which will deliver the projects and services as set out in the BID Proposal.

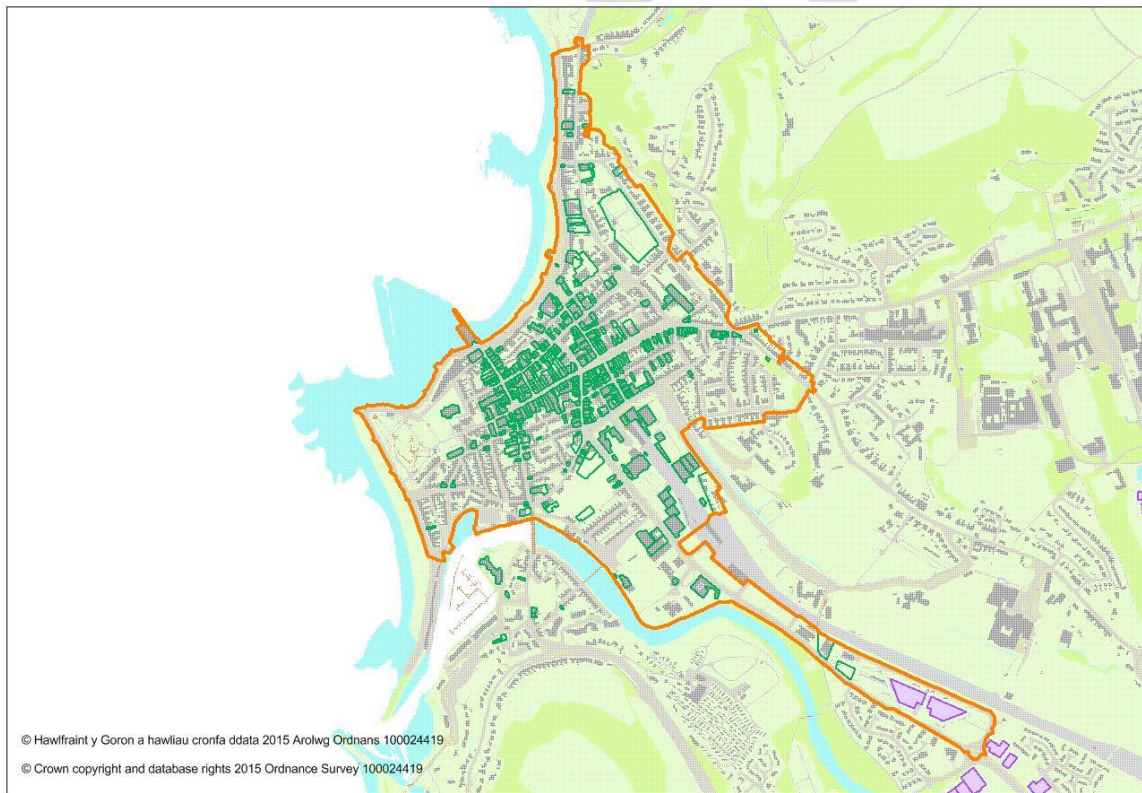
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5. Duration of the BID

The BID term will be five years in duration from 1 April 2016 to 31 March 2021. Before the end of this period, the BID Board may choose to seek renewal of the BID for a further term, through a renewal ballot.

6. The BID area

The area covered by the proposal comprises parts of Aberystwyth Town Centre as shown in the map below.



The BID area covers the following streets, either in whole or in part:

ALEXANDRA ROAD
ALFRED PLACE
BAKER STREET
BATH STREET
BOULEVARD ST BRIEUX
BRIDGE STREET
BRYNYMOR ROAD (LOWER)
BUARTH ROAD
CAMBRIAN PLACE
CAMBRIAN STREET
CARADOG ROAD
CASTLE STREET
CHALYBEATE STREET
CLIFF TERRACE
COPORATION STREET
EASTGATE
ELM TREE AVENUE
FFORDD PARC Y LLYN
GEORGE STREET
GRAYS INN ROAD
GREAT DARKGATE STREET
HIGH STREET
KING STREET
LAURA PLACE
MAESYRAFON
MARINE TERRACE
MARKET STREET
MILL STREET
NEW PROMENADE
NEW STREET
NORTH PARADE
NORTH ROAD
NORTHGATE STREET
OWAIN GLYNDWR SQUARE
PARK AVENUE
PIER STREET

**POPLAR ROW
PORTLAND ROAD
PORTLAND STREET
POWELL STREET
PRINCESS STREET
PROSPECT STREET
QUEEN STREET
QUEENS AVENUE
QUEENS ROAD
RHEIDOL RETAIL PARK
RHODDFA PADARN
SOUTH MARINE TERRACE
SOUTH ROAD
SPRING GARDENS
ST JAMES SQUARE
ST MICHAELS PLACE
TERRACE ROAD
THESPIAN STREET
TRINITY ROAD
UPPER PORTLAND STREET
VICTORIA TERRACE
VULCAN STREET
YSTWYTH RETAIL PARK**

Ensuring BID services are supplementary

There is no link between the amount of business rate collected by the Council and the amount it receives back from Central Government to deliver services in the area.

A BID, in comparison, generates revenue that is ring-fenced for the area in which it is collected, to be spent on projects for the benefit of businesses that pay the BID levy. All services provided by the BID will be additional to those provided by The Council. Additionality is ensured through the production of a 'Baseline Agreement' which sets out the standard level of statutory service that is already provided for the BID area. This ensures that the BID levy only funds services and projects over and above this level.

7. The BID ballot

The ballot will be managed by the Electoral Services Department within Ceredigion County Council and will run between 15th February 2016 - 14th March 2016. The ballot will close at 5pm on 14th March 2016. The ballot will be a secret postal ballot of the eligible hereditaments on the National Non-Domestic Ratings List at the time of the notice of ballot being issued. Where the occupiers of individual hereditaments have nominated in writing the name of the person who should vote on their behalf, the notice of ballot and ballot papers will be sent to them.

8. Eligible businesses

The following will not be eligible for the BID levy, or for the vote:

- Business units with a rateable value of less than £6,000 (according to the 2010 version of the Rating List)
- 'Central List' properties that are not contained in the local rating list.
- Advertising rights, telephone masts, and kiosks
- Primary and secondary schools
- Places of worship

All other types of businesses are eligible to vote in the BID ballot and to pay the BID levy. Hereditaments (rated 'units' of business space) with a rateable value of less than £6,000 will be exempt from paying the levy and therefore will not be eligible to vote in the ballot. Currently this means approximately c. 410 rateable properties will be eligible for the vote and to pay the BID levy.

Businesses with a rateable value of less than £6,000 will be welcome to take up some of the BID's services by contributing on a voluntary basis at a rate to be agreed.

Where hereditaments are unoccupied at the time of the notice of ballot, the owner will be entitled to vote in the BID ballot. No three-month 'void' period will be given and those hereditaments which are exempt from empty property rates and will not be exempt from the BID levy. The term 'owner' is defined in section 65 (1) of the Local Government Finance Act 1998.

Ratepayers who receive mandatory relief from business rates, and are office based (non-retail), will have their BID levy discounted at the same rate. This discount will not apply to those hereditaments in receipt of mandatory relief, which are retail.

The BID levy will not be reduced to reflect any discretionary rate relief.

9. The BID Levy

The BID levy is a daily charge. Occupiers and owner-occupiers will pay the levy at the rate of 1.25% of rateable value for each chargeable financial year or part thereof. For the duration of the 2016-21 BID, rateable values are those of the 2010 Rating List, as per the version of the List current on the ballot date. The BID levy will be charged at 1.25% of the rateable value of each hereditament listed in the Ratings List.

The table below sets out the indicative levy at 1.25% payable for businesses depending on their rateable value.

Indicative rateable value (£)	Indicative BID levy (£)
6,000	75
10,000	125
50,000	625
100,000	1,250
500,000	6,250

What if I already pay rates and service charges as part of my rent?

Where the occupants of hereditaments pay an inclusive rent or other charge for occupying space that includes the rates charge, the owner is liable to pay the BID levy and, consequently, is eligible to vote in the ballot.

I'm thinking of taking on premises in the BID area. Will I have to pay a levy on these when I move in?

Businesses which begin to occupy existing hereditaments during the BID period will be liable to pay the levy for their period of occupation, providing the hereditament remains eligible for the BID levy. The BID levy will be extended to occupiers of hereditaments built or first occupied or reconstituted in the BID area during the life of the BID, assuming that they are otherwise eligible. In these cases the levy will be calculated on the rateable value entered in the most recent version of the ratings list.

Occupiers of hereditaments in new developments located within the BID boundary will also be liable for the BID levy, assuming that they are otherwise eligible.

10. Levy collection

The Council will be responsible for collecting the BID levy on behalf of Advancing Aberystwyth BID. The BID levy will be payable in two installments per year. Payment will become due in April and October each year. Bills raised throughout the year will be periodically billed with payment due within 14 days. Enforcement measures for the collection of the BID levy are detailed under clause 8 above titled 'Procedures available to the Council for enforcing payment of the BID Levy'.

The BID levy is a mandatory charge and collection is enforceable in the same way as the business (non-domestic) rates. After 14 days non-payment of the BID levy, a reminder will be sent giving a further 14 days to pay. If after a further seven days from the payment date stated in the Reminder Notice the outstanding sum of the BID levy has not been paid the Council shall make an application to the Magistrates Court for a Liability Order to recover the outstanding sum of the BID levy. The BID Company will strongly pursue collection of the BID levy, using all available enforcement mechanisms. Non-payment of the BID levy will incur additional costs to the business in question.

The Council will apply to the Magistrates Court to recover its reasonable costs incurred in obtaining any order (currently estimated as £70.00 costs per liability order).

11. The cost of the BID ballot

The costs of the BID ballot will be met by Ceredigion County Council.

12. Alterations to the BID arrangements

Only minor amendments can be made to the BID arrangements without seeking formal approval from the BID Members. BID arrangements may be altered without an alteration ballot, as long as there is no proposal to alter:

- The geographical area of the BID
- The BID levy in such a way that would:
 - i. cause any person to be liable to pay the BID levy, who was not previously liable to pay; or
 - ii. increase the BID levy for any person other than for inflation purposes as set out above

Where BID arrangements may be altered without an alteration ballot, the alteration will be made by a decision of Advancing Aberystwyth BID Board, following consultation with Ceredigion County Council.

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