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Date: 29<sup>th</sup> February, 2024

**INDIVIDUAL CABINET  
MEMBER DECISION**

Dear Sir/Madam,

The Cabinet Member for Business and Regeneration (Councillor K. Wilson) is to consider the following report and make a decision on **Friday 8<sup>th</sup> March 2024** at **5.00pm** in Committee Room D, Town Hall, Nuneaton.

Yours faithfully,

**BRENT DAVIS**  
Chief Executive

# A G E N D A

## PART 1

### PUBLIC BUSINESS

#### 1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds, please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside Lloyds Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

#### 2. PUBLIC CONSULTATION - Members of the public will be given the opportunity to speak on specific agenda items if notice has been received.

Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.

The chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or officers and if after a warning issued by the chair, the speaker persists, they will be asked to stop speaking by the chair. The chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.

#### 3. DECLARATIONS OF INTEREST - To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (**Page 4**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Committee Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is

engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Audit & Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

4. BUSINESS IMPROVEMENT DISTRICT (BID) BALLOT – report of the Assistant Director – Economy and Regeneration attached (**Page 5**)

## Individual Cabinet Member Decision - Declarations of Interest Schedule – Councillor K. Wilson

Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	Deputy Chairman – Nuneaton Conservative Association  Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>•Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL)</li> <li>•Coventry, Warwickshire and Hinckley &amp; Bosworth Joint Committee</li> <li>•District Council Network</li> <li>•Local Government Association</li> <li>•LGA People &amp; Places Board (Member)</li> <li>•West Midlands Combined Authority</li> </ul>	

## Agenda item: 4

### Cabinet/Individual Cabinet Member Decision

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#### Report Summary Sheet

**Date:** 8th March 2024

**Subject:**

Agreement was given to issue voting right to the Leader of the Council to vote on behalf of NBBC in the forthcoming BID (Business Improvement District) ballot.

The report outlines the reasons why NBBC support the BID proposal and how they intend to vote.

**Portfolio:** Councillor K Wilson (Leader of Council and Business and Regeneration)

**From:** Jonathan White (Assistant Director – economy and Regeneration)

**Summary:**

A Cabinet report was submitted on 13<sup>th</sup> January 2024 – Nuneaton Business Improvement District.

The Cabinet report provided details of the proposed Business Improvement District for Nuneaton Town Centre, including a draft copy of the Business Plan. The report outlined what a BID is, how it would be funded and managed, the ballot process and the role that the Authorities would play in the process.

The report sought agreement from Cabinet on the following 3 points:

2.1 To support and sign off the development of Nuneaton Business Improvement District and BID Business plan as per attached Appendix 1, recognising the associated cost to NBBC in doing so and recognising the benefits to businesses and the community of having a BID. That NBBC are confident that the BID arrangements and projects complement and enhance the local authority's existing offer.

2.2 To provide delegated authority to the Leader of the Council to vote on behalf of NBBC in the forthcoming BID ballot.

2.3 To agree that NBBC are happy with the ballot arrangement to be outsourced to Civica on behalf of the BID.

**Recommendations:**

An Individual Member decision is required to support Cabinet approval to authorise the Leader of the Council to vote on behalf of NBBC in the forthcoming BID ballot in relation to the properties owned by NBBC of which the Authority is liable for the BID Levy should the ballot be in favour of the formation of the Business Improvement District.

It is recommended that the Leader of the Council vote in favour of the formation of the proposed Business Improvement District.

**Options:**

**Option 1.**

The authority has the Right to Veto

The local authority can veto the BID arrangements within 14 working days from the ballot. To do this, it needs to be satisfied that the arrangements.

- are likely to conflict to a significant extent with an existing policy;
- place a significant financial burden on any individual or class of ratepayers because of manipulation of the area or the structure of the levy

**Option 2.**

That the Authority are satisfied that the BID proposal doesn't not conflict to a significant extent with an existing policy and doesn't place a significant financial burden on any individual or class of ratepayers because of manipulation of the area or the structure of the levy. That Cabinet support the proposal and can see tangible benefits for the local economy of supporting the BID.

It is therefore recommended that the NBBC vote in favour of the implementation of a Business Improvement District in Nuneaton Town Centre and as the portfolio holder and Leader of the Council that Kristofer Wilson vote on behalf of the Authority.

**Reasons:**

NBBC has voting rights on all properties it owns within the area of benefit. NBBC annual contribution to the BID levy is based on a 2% levy against the rateable value of these properties. NBBC has voting rights on all properties within the area of benefit with an RV of over £5000.

A list of properties eligible to vote in the ballot has been prepared by the BID company and verified, this has been sent to the ballot administrators CIVIC and will form the basis of the voter list. Each eligible property will receive a copy of a ballot paper for their consideration along with a copy of the BID Business Plan proposal on which they will be voting.

The ballot takes the form of a 4 week postal ballot.

For the ballot to be successful the total votes cast must be in favour of the implementation of the BID by both number and total ratable value.

**Consultation undertaken with Members/Officers/Stakeholders:**

Consultation with Kris Wilson Leader of NBBC and Portfolio holder for Town Centres

A report was submitted to Cabinet for approval on the 13<sup>th</sup> January 2024 and to OSP on the 8<sup>th</sup> February.

**Subject to call-in:**

yes

**Ward relevance:** Abbey Ward

**Forward plan:**

No

**Delivering Our Future Theme: 1**

1, 2, 3

**Delivering Our Future Priority: 1**

1.1, 2.2, 3.1

**Relevant statutes or policy:**

N/A

**Equalities Implications:**

No specific equal opportunities implications.

**Human resources implications:**

None

**Financial implications:**

NBBC's annual contribution to the BID levy is based on a 2% levy on the business rates of each property it owns within the area of benefit. This will represent an annual contribution of circa £19,500 should the ballot be successful in favour of the implementation of the BID.

**Health Inequalities Implications:**

N/A

**Section 17 Crime & Disorder Implications:**

N/A

**Risk management implications:**

As the initiative is a business led project there are no direct risk implications for NNBC.

There is however a risk that once billing begins that the businesses will see the initiative as a NBBC led given that the Authority will be issuing the invoices on behalf of the BID Company and collect the levy on behalf of BID Company. Therefore it should be ensured that the BID company conduct adequate pre launch communication to clarify the position.

**Environmental implications:**

N/A

**Legal implications:**

N/A

**Contact details:**



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## AGENDA ITEM NO. 4

### NUNEATON AND BEDWORTH BOROUGH COUNCIL

**Report to:** Individual Cabinet Member Decision

**From:** Jonathan White – Assistant Director Economy & Regeneration

**Subject:** BID (Business Improvement District) Ballot

**Portfolio:** Business and Regeneration - (Cllr K. Wilson)

**Building a Better Borough Aim:** 1 – Live, 3 – Visit.

**Building a Better Borough Priority:**

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#### 1. Purpose of Report

- 1.1 Following a report to Cabinet on 13<sup>th</sup> January 2024 on the proposed Business Improvement District for Nuneaton Town Centre, agreement was given to issue voting right to the Leader of The Council to vote on behalf of NBBC in the fourth coming BID (Business Improvement District) ballot.
- 1.2 This report is to confirm that it is the intention of NBBC to vote in favor of the implementation of the Nuneaton Business Improvement District

#### 2. Recommendations

- 2.1 An Individual Member decision is sought to support Cabinet approval to authorise the Leader of the Council to vote on behalf of NBBC in the forthcoming BID ballot in relation to the properties owned by NBBC for which the Authority is liable for the BID Levy should the ballot be in favour of the formation of the Business Improvement District.
- 2.2 It is recommended that the Leader of the Council vote in favour of the formation of the proposed Business Improvement District.

#### 3. Background

- 3.1 The Cabinet report submitted on 13<sup>th</sup> January 2024 – Nuneaton Business Improvement District, provided details of the proposed Business Improvement District for Nuneaton Town Centre, including a draft copy of the Business Plan. The report outlined what a BID is, how to it would be funded and managed, the ballot process and the role that the Authorities would plays in the process.

3.2 The report sought agreement from Cabinet on the following 3 points:

- To support and sign off the development of Nuneaton Business Improvement District and BID Business plan as per attached Appendix 1, recognising the associated cost to NBBC in doing so and recognising the benefits to businesses and the community of having a BID. That NBBC are confident that the BID arrangements and projects complement and enhance the local authority's existing offer.
- To provide delegated authority to the Leader of the Council to vote on behalf of NBBC in the forthcoming BID ballot.
- To agree that NBBC are happy with the ballot arrangement to be outsourced to Civica on behalf of the BID.

#### 4. Body of Report

4.1 NBBC has voting rights on all properties it owns within the area of benefit with a RV over £5000. NBBC annual contribution to the BID levy is based on a 2% levy against the rateable value of these properties.

4.2 A list of eligible properties has been prepared by the BID company and verified, this has been sent to the ballot administrators CIVIC and will form the basis of the voter list. Each eligible property will receive ballot notification, a copy of a ballot paper and a copy of the BID Business Plan on which the voter will base their decision to support or otherwise the proposal.

4.3 The ballot takes the form of a 4 week postal ballot.

4.4 For the ballot to be successful the total votes cast must be in favour of the implementation of the BID by both number and total rateable value.

4.5 The Authority has 2 Options:

4.6 Option 1. The Right to Veto

The local authority can veto the BID arrangements within 14 working days from the ballot. To do this, it needs to be satisfied that the arrangements.

- are likely to conflict to a significant extent with an existing policy;

- place a significant financial burden on any individual or class of ratepayers because of manipulation of the area or the structure of the levy

#### 4.7 Option 2. Vote YES for the Implementation of the BID

That provided that the Authority are satisfied that the BID proposal doesn't not conflict to a significant extent with an existing policy and doesn't place a significant financial burden on any individual or class of ratepayers because of manipulation of the area or the structure of the levy and that the proposal is considered to provided tangible benefits for the local economy then it should support the implementation of the BID by voting 'YES' in the ballot.

4.8 NBBC's annual contribution to the BID levy is based on a 2% levy on the business rates of each property it owns with in the area of benefit. This will represent an annual contribution of circa £19,500 should the ballot be successful in favour of the implementation of the BID.

#### 5. Conclusion

5.1 It is considered that a Business Improvement District in Nuneaton Town Centre would deliver tangible benefits to the local economy and add value and support to the services provided by the NBBC.

5.2 The BID will support wider engagement with the local business community and provide them with the opportunity to influence local decisions relating directly to their working environment and make improvements they consider a priority.

5.3 If successful the BID will bring an additional £1,000,000 plus of investment into the town centre area over the 5 year period of its initial term.

5.4 It is recommended that the NBBC vote in favour of the implementation of a Business Improvement District in Nuneaton Town Centre and as the portfolio holder and Leader of the Council that Kristofer Wilson vote on behalf of the Authority.

#### 6. Appendices (if none, state none)

6.1 BID Business plan

#### 7. Background Papers (if none, state none)

7.1 Cabinet Report 13th January 2024 – Business Improvement District