

BIRMINGHAM CITY COUNCIL

JOINT CABINET MEMBER AND CHIEF OFFICER

TUESDAY, 24 JULY 2018 AT 00:00 HOURS
IN CABINET MEMBERS OFFICE, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

A G E N D A

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1 **BALLOT AND RENEWAL OF COLMORE BUSINESS IMPROVEMENT DISTRICT 2018**

Report of Acting Director of Regulation and Enforcement

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2 **DISPOSAL OF THE DRUM, 144 POTTERS LANE, ASTON**

Item Description

P R I V A T E A G E N D A

3 **DISPOSAL OF THE DRUM, 144 POTTERS LANE, ASTON**

Item Description

PUBLIC REPORT

Report to: **THE LEADER JOINTLY WITH THE CORPORATE DIRECTOR OF PLACE**

Report of: **Acting Director of Regulation and Enforcement**
Date of Decision: **23 July 2018**
SUBJECT: **BALLOT AND RENEWAL OF COLMORE BUSINESS IMPROVEMENT DISTRICT 2018**
Key Decision: **No** **Relevant Forward Plan Ref:** **N/A**
If not in the Forward Plan: **Chief Executive approved** ☒
(please "X" box) **O&S Chair approved** ☒
Relevant Cabinet Member(s) **Councillor Ian Ward, Leader**
Relevant O&S Chair: **Councillor Albert Bore, Chair of Resources O&S Committee**
Wards affected: **Ladywood**

1. Purpose of report:

- 1.1 To obtain support for the ballot process and renewal of a Business Improvement District (BID) (Appendix 1) in the Colmore central business area for a five year term, commencing 1st April 2019.
- 1.2 To set out and seek agreement and support to the relevant implications for the City Council.

2. Decision(s) recommended:

That the Leader, jointly with the Corporate Director of Place:

- 2.1 Supports the outline draft proposals for the Colmore Business District BID to be operated by Colmore Business District Limited for a third term and the ballot process (Appendix 2), for the renewal in the Colmore BID area. (Appendix 3)
- 2.2 Approves the detailed provisions relating to finance and services contained in paragraph 4.2 (and in detail at Appendix 4) (principally subject to a successful BID ballot) specifically:
- One-off ballot cost (£9,595) and ICT Digital Solutions set up charges (£15,370) estimated total at £24,965 to be funded from Policy Contingency
 - Levy payments on two City Council interests, detailed in paragraph 3.1, estimated at £24,000 per annum for five years, to be funded by the relevant Directorates
 - BID levy collection costs for ICT Digital Solutions estimated at £9,991 per annum for five years (£49,955 total) funded from Policy Contingency.
- 2.3 Authorises the City Council to draft and enter into an Operating Agreement, Service Level Agreements, Memorandum of Understanding and Data Sharing Agreements with Colmore Business District Limited.
- 2.4 Authorises the Chief Executive or her designated Officer to vote 'yes' in relation to the City Council's total of two votes in relation to the BID ballot specified.
- 2.5 Authorises the City Solicitor and Monitoring Officer to negotiate, execute and complete all relevant documents to give effect to the above recommendations in relation to the BID.

Lead Contact Officer(s): Wayne Pell-Walpole, BIDs Ambassador, Place
Telephone No: 0121 464 9852
E-mail address: Wayne.Pell@Birmingham.gov.uk

3. Consultation

3.1 Internal

Consultation on the content and implications of this report has taken place with relevant Cabinet and Ward Members (Appendix 5), Corporate Director Place, Place Directorate Finance, Corporate Finance, Legal and Procurement Officers. The relevant two budget holders, in Central Administrative Buildings and Highways, for the Council properties in the BID area have been advised.

3.2 External

Colmore Business District Limited as the BID proposer has undertaken extensive consultation with businesses and stakeholders to demonstrate support for the renewal of the BID. The development work for the BID has been funded by Colmore Business District Limited directly. Colmore Business District Limited has reviewed the legislation and are satisfied that they have conducted their preparation properly and that the business plan will address the needs of businesses in the area. (Appendix 6) Business engagement will continue up to and throughout the ballot period which will commence on Monday 15 October 2018 and end on Tuesday 20th November 2018.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

The establishment of BIDs is consistent with the Council's outcomes and priorities 2018-2022. The work of Colmore Business District Limited and the BID business plan is deemed to align with the Council's priorities particularly;

- Birmingham is an aspirational city to grow up in
- Birmingham is an entrepreneurial city to learn, work and invest in
- Birmingham is a great city to live in

4.2 Financial Implications

(Will decisions be carried out within existing finance and Resources?)

An analysis of the financial implications for the City Council (principally subject to a successful BID ballot) is summarised in the table below and detailed in Appendix 4. The key points are:

- (i) One-off ballot and ICT Digital Solutions Set Up costs estimated at £24,965 to be funded from Policy Contingency.
- (ii) Levy payments on two City Council interests estimated at £24,000 per annum for five years (£120,000 total) to be funded by the relevant Directorates.
- (iii) BID levy collection costs, estimated at £9,991 per annum for five years (£49,955 total) to be funded from Policy Contingency.

Expenditure	Funding	One-Off Cost 2018/19	Annual Cost	5 Year Total Cost 2018/19 to 2022/23
Ballot	Policy Contingency	£9,595	n/a	£9,595
Database and Set up	Policy Contingency	£15,370	n/a	£15,370
ICT Digital Solutions	Policy Contingency	n/a	£9,991	£49,955
BCC Levy payments:	Directorates	n/a	£24,000	£120,000
Total Cost		£24,965	£33,991	£194,920

4.3 Legal Implications

- (i) All BIDs must be established in accordance with the provisions contained within the Local Government Act 2003 and the Business Improvement District (England) Regulations 2004.
- (ii) In accordance with the BID Regulations, the 'Notification of Intention to Submit a BID Proposal for Balloting Purposes' must be submitted in a timely fashion to the Secretary of State for the Ministry of Housing, Communities & Local Government. This has been served by Colmore Business District Limited and the City Council notified. (Appendix 7)
- (iii) A formal request to hold the BID ballot has been made by Colmore Business District Limited to the City Council. (Appendix 8).
- (iv) As with all BIDs in Birmingham to date, the BID ballot will be conducted by an independent Scrutiniser; Electoral Reform Services, on behalf of the City Council.
- (v) The City Council holds a number of properties in the proposed Colmore BID area, however the vast majority are let on long leases and as such represent very limited risk of any liability for business rates. We hold three property interests where we pay business rates, however one of these falls below the BID threshold for inclusion, thus our total liability for property holdings equates to two (Council House and Livery Street Car Park) which will represent two votes in the forthcoming BID ballot. The Chief Executive or her designated Officer is to be authorised to vote 'yes', in support of renewal of the BID. It should also be noted that the Birmingham Museum & Art Gallery let to the Birmingham Museums Trust will hold a separate voting right.
- (vi) The approved Colmore BID term 3 will be implemented by Colmore Business District Limited from 1st April 2019. The BID Company, will be independent, private sector led and not for profit. The BID will have a Board of Directors, comprising representatives from the area's business community, together with stakeholders including a local ward councillor.
- (vii) The City Council will enter into an Operating Agreement, Service Level Agreements, Memorandum of Understanding and Data Sharing Agreements with Colmore Business District Limited.
- (viii) The decision on whether BIDs are established or renewed rests with the businesses eligible to vote in a BID ballot. As a key partner, the City Council will work towards a positive outcome in any BID ballot.

4.4 Data Protection

The requirements of the General Data Protection Regulations 2018 and Human Rights Act 1998 have been taken into consideration in terms of the processing, management and sharing of data involved in these proposals. A Data Processing/ Sharing Agreement will be drafted and will be entered into with Colmore Business District Limited.

4.5 Public Sector Equality Duty

A copy of the Equality Act 2010 – Public Sector Duty statement is appended (Appendix 9) together with the initial equality assessment screening (Appendix 10).

5. Relevant background/chronology of key events:

- 5.1 A BID is a precisely defined area within which the local business community work together to collectively invest in projects and services to improve the business environment. They provide a vehicle for developing the partnership between business ratepayers and the local authority as well as assisting businesses to play a more central role in managing and maintaining their local environment. Further information on the basic principles of a BID and the existing BIDs in Birmingham can be found in Appendix 1.
- 5.2 BIDs represent a very significant advance in the management of a centre bringing benefits from focussed and committed public / private sector partnerships. They have the potential to make a major contribution by targeting additional and more long-term resources on the management of specific areas and assisting businesses to play a more central role in identifying local needs and managing and maintaining their local environment.
- 5.3 Locally, BIDs are presently active in Wolverhampton, Rugby, Leamington Spa, Derby (2), Stratford-upon-Avon, Nottingham and Solihull. Other major cities which have developed a BID include Liverpool, Newcastle, Manchester and Edinburgh. In London, where additional support for the BID model has been provided by the Greater London Authority over fifty BIDs are now in existence and assisting in providing investment across the national capital. In total over 300 BIDs now operate across the United Kingdom.
- 5.4 In Birmingham in 2016 Retail Birmingham, Sutton Coldfield, Northfield, Erdington and Acocks Green BIDs all balloted successfully for further terms, as did Jewellery Quarter in 2017 and Kings Heath in February 2018. The city also welcomed the ballot for its twelfth BID in Harborne last year.
- 5.5 New BIDs have recently been created in Leicester and Halesowen, whilst presently new BIDs are being developed in Sheldon and Kidderminster.
- 5.6 Further support to the network of BIDs and Towns and Local Centres is being provided by Greater Birmingham and Solihull Local Enterprise Partnership through an emerging strategy currently under development in partnership with BIDs and local authorities.
- 5.7 Birmingham currently has 12 BIDs with a number having entered second or third terms. The BIDs in total have raised in excess of £20 million of additional private sector funding that has been invested in enhancing their localities and so improving the environment for business, visitors and local communities using the centres.

- 5.8 The BID's vision is to enhance the local communities, welcome more visitors and to ensure that businesses are given every opportunity to succeed, trade and grow through representation, support and investment. The draft proposal for the BID term 3 are detailed in Appendix 2.

6. Evaluation of alternative option(s):

- 6.1 There is currently no alternative option available to the BID model that provides continued guaranteed longer term private investment for specific activities in specific areas funded and prioritised by eligible businesses. The BID model is therefore seen as the preferred way to provide additional and more sustainable resources for the management of specific areas, which is why local partnerships have been encouraged to explore the viability of BIDs and likely level of support from businesses.

7. Reasons for Decision(s):

- 7.1 To obtain support for the renewal of Colmore BID for a further five year term
- 7.2 To obtain agreement to the relevant implications for the City Council

Signatures

Date

Cabinet Member

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Cllr Ian Ward - Leader

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Chief Officer

.....
Jacqui Kennedy, Corporate Director - Place

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List of Background Documents used to compile this Report:

1. The Nationwide Business Improvement Districts survey 2016 – British BIDs November 2017
2. Towards a Greater Birmingham – ATCM Report on Developing a Strategic Partnership between Birmingham City Council and BIDs March 2017
3. Securing a brighter future for BIDs in Birmingham - 2018

List of Appendices accompanying this Report (if any):

1. The Principles of a BID, BIDs in England, Scotland, Wales and existing Birmingham BIDs
2. Colmore BID – Outline of the BID Proposal
3. BID Boundary map
4. Financial implications for the City Council
5. Ward Councillor Consultation Matrix
6. Regulation checklist
7. Notification Letter to secretary of State for ballot
8. Colmore Letter to BCC to hold ballot
9. Public Sector Duty Statement
10. Equality Analysis reference EA002869

Appendix 1

1. The Principles of a BID

- 1.1 Business representatives in an area develop a BID Proposal including objectives and targets for the BID, the finance to be raised and how it will be invested. The intention is that businesses should have a greater input into improvements where they are prepared to pay for them. This last point is crucial, as core funding for the BID is derived from a statutory payment, known as the BID levy, made by eligible non-domestic ratepayers in the BID area.
- 1.2 BID arrangements cannot come into force unless they are approved by a ballot of non-domestic ratepayers in the proposed BID who are to be liable for the proposed BID levy. Approval requires a majority 'yes' vote in both number of votes cast and rateable value of votes cast. This 'dual-key' mechanism means that a scheme cannot be forced through by larger businesses against the wishes of the smaller businesses, or vice versa.
- 1.3 A legal requirement is that BID arrangements will have a maximum term of five years and will then be subject to a renewal ballot. This aims to protect levy payers from an indefinite commitment but also provides a powerful incentive for BID management to deliver best value.

2. Business Improvement Districts in Birmingham

- 2.1 Birmingham currently has 11 BIDs – 5 in the city centre (Colmore Business District, Jewellery Quarter, Retail Birmingham, Southside, Westside) and 6 in local centres (Acocks Green, Erdington, Kings Heath, Northfield, Soho Road, Sutton Coldfield). A further BID ballot, in Harborne has also recently been successful and a 12th BID will commence from 1st January 2018. (This is presently delayed subject to a Call-In from the Secretary of State).
- 2.2 Birmingham's BIDs have raised in excess of £20 million of additional private sector investment.

3. Business Improvement Districts in The Midlands

- 3.1 Locally, formal BIDs include Wolverhampton, Coventry, Leamington Spa, Derby (2), Stratford-upon-Avon, Nottingham and Solihull. New BIDs have recently been created in Halesowen, Leicester and Wednesbury and presently new BIDs are being developed in Kidderminster and Sheldon.

4 Business Improvement Districts in the United Kingdom

- 4.1 There are now over 300 BIDs operating in towns and cities across the UK and Republic of Ireland.
- 4.2 BIDs across the UK make an invaluable contribution to Cities, Towns and Local Centres, they contribute sustainable business engagement, strong leadership at a local level, a powerful lobby for local investment and a significant point of contact for community engagement.

- 4.3 Major cities which have developed a BID include Liverpool, Leeds, Manchester, Edinburgh and over Fifty in London.
- 4.4 Nationally BIDs raise in excess of £75 million in direct levy investment, This investment is further enhanced with additional income, inward investment and in-kind contributions to provide over £110 million per annum

APPENDIX 2

Colmore BID – Draft Proposal

This Appendix has been prepared by the Colmore Business District as the BID proposer.

Background to Colmore BID and first two terms

The Colmore Business District is a defined geographical area encompassing the commercial heart of Birmingham.

In accordance with the Local Government Act, Business Improvement Districts (England & Wales Regulations, 2004), businesses voted by a majority in 2009 and again in 2013 to invest collectively in local enhancements to improve their trading environment, raising over £675,000 and £930,000 respectively each year for a five-year period.

Colmore Business District was the third area in Birmingham to opt for BID status and has since flourished following nine and a half years of BID investment.

During the second BID term, the BID worked in partnership with Birmingham City Council and Transport for West Midlands to apply for Local Growth Funding and successfully won £4.66m of funding to improve the pedestrian experience in the district. That coupled with the £1.4m investment from Colmore BID and monies from Birmingham City Council and Transport for West Midlands means that just under £10m will be spent on public realm within the district. Work is due to commence on Colmore Row, outside Snow Hill Square, and Cornwall Street. Colmore BID has secured private investment into the scheme on Cornwall Street and is still in negotiation with other property owners who are considering making a financial contribution to the scheme.

The Colmore BID is funded from a BID levy charge of 1% of rateable value as at 1st April 2014. This percentage was adjusted to match inflation as the term went on.

The BID area in the second term comprised of circa 650 hereditaments.

Colmore BID Second Term 2014 - 2019

BID levy payers voted by a 94% majority to commit to improving Colmore Business District

The main areas of activity focused on the following themes:

1. **Outstanding Places** – Caring for the physical aspects of Colmore BID and delivering, influencing and partnering on public realm projects to make the district an outstanding place. We will be delivering major public realm projects in partnership with Birmingham City Council and Transport for West Midlands (Tfwm). We carry out an annual street deep-cleaning programme of over 45,500m² of streets in the district. We have participated in the award-winning Britain in Bloom programme. We committed to improving the footbridge and with a small financial contribution from the Jewellery Quarter BID, in addition to our investment of over £70,000 we improved the lighting, repainted the bridge and designed out opportunities for some of the anti-social behavior which was taking place. We provided floral displays and Christmas lights annually in the district. We have provided 280 floral features across the District every year. We have adorned the streets with 90 Christmas decorations each year.
2. **Safe and Sound** – Our ambassador and security team have interacted with 53,000 visitors and staff. The team have also reported over 6,500 incidents of dirty streets, 1,500 issues with our streets and pavements, including over 300 broken paving slabs and over 400 incidents of abandoned road signs. The ambassadors act as our eyes and ears and are a visible welcoming presence to all who visit, live and work in the district. Colmore BID is an influencer in the city to improve the response to homelessness and have been instrumental in setting up a cross-city group to produce a strategic approach to tackling this issue. In May 2017, we signed up to the Metro Mayor's regional taskforce on homelessness. Twice a year we undertake personal safety training sessions for people working in the District these are

free two-hour sessions designed to get people thinking about how they can keep themselves safe in the city. We introduced Facewatch, an online reporting tool, to the district, with direct links to the police. The Colmore Security Network is an initiative designed to bring together facilities managers and others who are responsible for helping to keep the District safe. It was refreshed and reintroduced in 2017 to help to develop the District's preparedness for, and resilience in the event of a major incident in the city. Colmore BID has also prompted the recreation of a Pubwatch scheme in the district.

3. **Place Marketing** – We have continued to develop the Colmore Food Festival; our landmark celebration of the best food and drink in the city showcases almost 30 venues from the District. This event alone attracts 30,000 visitors each year. We promoted levy-paying businesses over 700 times, providing an average of 180 free marketing opportunities a year. We produced 11,000 copies of our Area Guide, featuring our hospitality venues and services. During BID 2 we held over 140 events, an average of 36 each year. These events were attended by over 1,500 people, an average of almost 400 each year. We have supported the Birmingham and Solihull Jazz and Blues Festival, hosting daily outdoor lunchtime performances during the festival. We have a Cinema Club, where we partner with venues in the district, showcasing a line-up of films. We have held 18 Moseley Arts Markets, where we showcase the market entitled Moseley Arts Market 'On the Move'. We have held two major photography events during the BID terms, one showcasing Phyllis Nicklin. In October 2016, Colmore BID presented a number of Phyllis' images on a lit display in Snow Hill Square. The exhibition ran until the end of January 2016 and was enjoyed by commuters and those who had fond memories of the city at the time of the photos. A short documentary film about Phyllis Nicklin's life and work was also produced. In November 2016, #NicklinUnseen won the national Place Marketing – Large Location BID Award.

Colmore BID was also a substantial sponsor of Thresholds. Our monies were invested early as it supported innovation and activity in the district, founded on our heritage in the core of the city. The investment allowed the project promoters to seek arts funding with the security of a serious commitment from Colmore BID. Conceived and developed by Mat Collishaw and Pete James, Thresholds restaged one of the earliest exhibitions of photography which took place in 1839 when British scientist William Henry Fox Talbot presented his photographic prints to the public at King Edward's School in Birmingham. The experience was fully immersive with visitors walking freely through a digitally reconstructed room. The exhibition has toured around the country including Somerset House in London.

4. **Community Building** – The BID has an active online presence through its social media and website. The BID communicates with its members via Facebook, Twitter, LinkedIn and Instagram, collectively reaching over 65.6K people. The BID uses social media and its website to keep BID members up to date with the latest news, offers and events that are happening in the District, and keep them informed about the projects that the BID is working on. We have printed 84,000 editions of our magazine, Colmore Life. The magazine provides key information about Colmore BID's achievement, allows levy payers to showcase their own news and promotes the District's events. Competitions and offers promote Colmore BID businesses and encourage a bustling District. The BID sends out a weekly e-bulletin to over 1,800 subscribers with updates on the BID's activities as well as news, events and offers in the area. Businesses in the district have often used this as a tool to promote their news and events. Colmore Business District is used as a communication centre for the District to distribute any emergency or important information related to the area from West Midlands Police and Birmingham City Council. Businesses also approach Colmore BID as an intermediary for questions related to safety or public realm issues in the area. We put on an annual Community Games, where staff from businesses in the district have the opportunity to participate in sporting activity, whilst raising money for our nominated charity. Over the last five years we have raised over £30,000 for Sifa Fireside, which has enabled them to provide more resources for homeless people. We have put on a range of health and wellbeing events throughout the BID term such as, stress management, walking

tours, art classes, running groups and yoga. The wellbeing of employees has an impact on staff motivation, engagement and retention. We have our own choir who perform regularly throughout the year at hospitality venues within the district, Queen Elizabeth Hospital, Birmingham Cathedral and St Martin's Church. We have put on a range of workshop for SMEs within the district such as marketing, social media, taxation and pensions.

5. **Accessible and Connected** – Colmore Business District became the second Green Travel District (GTD) in Birmingham. GTD's enable investment focused on public transport, walking, cycling and encouraging people to use cars less. The GTD is looking at baselining pollution data for Colmore Row and environs, prior to the delivery of the Snow Hill public realm improvement projects. Colmore Business District is proposing a business-led solution to reducing vehicles stopping, starting and moving through its tightly-packed streets. We are working with delivery companies on modelling better solutions. We have continued to produce and distribute Z-maps – this is a map that folds down to business card size, yet opens up to a legible, easy to use map with key landmarks shown and food, hospitality and retail venues printed around the map. We are represented on all three levels of the Snow Hill Growth Strategy meetings, which are led by Birmingham City Council.
6. **Business Matters**– We continue to work at developing partnerships to enable us to identify opportunities to develop projects. We were the instigators of a project called Flavour Fortnight, providing an opportunity to showcase the hospitality offering in the city – Colmore BID worked with Retail BID and Westside BID to deliver this. Colmore BID were the instigators of the development of a City Centre Strategic Board, after the demise of the City Centre Partnership Board. This board has all of the BID Chairs on it, Tfwm, West Midlands Growth Company, West Midlands Police, representatives from Digbeth and Eastside and a residents' representative. The aim of the board is to help to provide some strategic direction and management of the city. We have set up a Property Owners and Agents Forum for the district, with the aim of keeping these key individuals up to date with what the BID is doing and also discussing opportunities with them on financially contributing to future public realm schemes within the district. During our second BID term, we have won a series of awards including, British BIDs Proud Project 2014 for Colmore Square, British BIDs Proud Project 2016 for Nicklin Unseen, shortlisted for ATCM's BID of the Year Award 2016 and our Executive Director was awarded Business Woman of the Year 2017 by Downtown Birmingham.

Colmore BID Outline of Proposal for BID3 from 2019 to 2024

The current BID term will end on 31 March 2019, with voting on BID 3 taking place by eligible levy payers between 15th October and 20th November 2018.

BID Boundary

It is proposed that the boundary for Colmore BID 3 be extended to include the Paradise Development – as shown in Appendix 3.

Extensive consultation on this proposal has taken place, including meetings with the Paradise Board on 15 November 2017. The Paradise Board, including Birmingham City Council, Argent and Hermes, confirmed their agreement to the proposal via email on 24 November 2017. The Paradise Board have stated that they want a small contribution to go to Westside BID and this will be a separate negotiation between all parties.

BID Levy

It is proposed that the BID levy will increase from the current 1% to 1.5% for BID 3 and consultation to date shows that levy payers would not be averse to this. This levy increase will raise the budget from £940,000 to £1.2m for investment in Colmore Business District. Our proposed first year budget

for our third term is detailed from page 10. This will form a part of the Colmore BID 3 proposal which the voter contacts from the eligible hereditaments will vote on.

Colmore BID Project Areas	Projects/Services	Budget per annum
Safe and Sound	<p>Caring for the user experience of being in Colmore BID and feeling safe.</p> <p>Ambassador and Security service – extend our security officer scheme into the early evening to offer increased reassurance.</p> <p>Continue to pro-actively support activities that tackle homelessness by working with a wide range of partners</p> <p>Personal Safety Training</p> <p>Colmore Security Network meetings at least twice a year.</p> <p>Develop text messaging as a means of communicating with the levy payers.</p> <p>Projects to help companies tackle cybercrime.</p>	£200,000
Outstanding Places	<p>Caring for the physical aspects of Colmore BID and delivering, influencing and partnering on public realm projects to make Colmore BID an outstanding place.</p> <p>Continue to deliver Colmore BID's spatial Masterplan by influencing regeneration plans for the District and ensure strong connection to the HS2 station at Curzon Street.</p> <p>Brighten the district with investment in floral features and festive lighting</p> <p>Tackle poorly maintained pavements with Amey and ensure paving is regularly cleaned and well maintained.</p> <p>Install 'pocket parks' throughout the district, creating new micro spaces for people to sit, to chat and to enjoy.</p> <p>Design and construct a digital screen for Colmore Square, featuring an ambitious curated program of content</p> <p>Provide additional daily cleaning.</p> <p>Deep clean the district on an annual basis to remove chewing gum.</p> <p>Greening the District with new planters in a design to reflect the conservation area.</p>	£428,000
Place Marketing	<p>Caring for the brand of Colmore Bid and partnering and delivering events, including:</p> <p>Building on the success of the Colmore Food Festival to</p>	£189,000

	<p>create wider family appeal</p> <p>Launching dedicated film and music festivals</p> <p>Produce three Colmore Life magazines per year to help sell the area to visitors.</p> <p>Cultural/historical walks and events throughout the district.</p> <p>A BID bandstand for live performances.</p> <p>Growing social media presence for the BID, the district and businesses</p> <p>Profile-raising PR for the District to attract visitors and investment.</p>	
Community Building	<p>Caring for the ‘home’ community of employees and business owners adding a dimension to the ‘Colmore Life’ as well as offering the opportunity to plug into networks for business and professional development</p> <p>Continued support of physical activity for BID workers.</p> <p>Continue to develop Colmore Chorus</p> <p>Continue to deliver the community games, linking this to the forthcoming Commonwealth Games.</p> <p>Continue to deliver wellbeing events and workshops and extend the reach of our events into breakfast, lunch hours, and after-work talks, discussion groups and urban gardening clubs.</p> <p>Enhanced support for B2B and SMEs</p> <p>Launch the ‘Pop-Up Colmore’ scheme by brokering creative uses and activities into underused external and internal spaces.</p> <p>Connect our community to events and opportunities within Colmore Business District</p> <p>Increase business networking opportunities, promoting a ‘Buy Local’ mentality and offering business support and mentoring between larger businesses and SMEs.</p> <p>Continue to develop Colmore Cinema Club.</p>	£84,000

Accessible and Connected	<p>Caring for the user experience of moving around Colmore Business District and influencing and partnering on policy and projects to make Colmore BID navigable for a variety of people with differing mobility.</p> <p>Research into air pollution and schemes to address the issue.</p> <p>A new approach to freight deliveries in the district.</p> <p>Reviving the Interconnect programme of work to ensure that the growth and change in and around the city centre is legible for visitors.</p> <p>The Green Travel District will continue to encourage behavior change particularly pertaining to commuting to and from work.</p>	£44,000
Business Matters	<p>Shaping and articulating the strategic voice for Colmore BID across the city to make sure that the message of business is received in appropriate loci of influence:</p> <p>City Centre BIDs City Centre Strategic Board GBSLEP WMCA BPS Birmingham Birmingham Chamber</p> <p>Maximising opportunity and potential within the district with the hosting of the Commonwealth Games in 2022.</p> <p>Build stronger links with Birmingham's universities, supporting emerging business talent where possible.</p> <p>Promote Colmore Business District as an ideal inward investment destination through national and international PR, targeting potential new businesses from existing and new sectors to improve the District's resilience and attractiveness.</p>	£20,000
BID Operational Costs	Accounts, audit, insurances, stationery, rent and salaries	£240,000
Expected Income for BID3		£1.2m per annum

It should be noted that that, whilst the above demonstrates the proposed budget, the breakdown of funding will remain flexible between the Sub-Committees and subject to full agreement by the Board. Inflation will apply on the BID levy in years two to five of BID3's five-year term.

Organisation and Management

Colmore Business District Limited is the legal entity that operates the existing BID and the structure of the board for BID 3 may change after a governance review is undertaken.

Only BID paying businesses are entitled to vote on financial matters.

The Board will meet quarterly and will delegate day to day operational responsibility to a BID Executive Director.

BID Levy Arrangements

- The principal source of funding for the BID will be the BID levy which will be set at 1.5% of the rateable value for each defined business premises (hereditament) with a rateable value of £10,000 or over. All business sectors will be included.

A total levy cap of £25,000 is proposed. This will be beneficial to a small number of businesses within the BID area with either a large premises/rateable value or multiple property interests.

- The levies will be based on the 2017 Local Non-Domestic Rating List.
- For void/unoccupied premises (hereditaments) at the time of the ballot: -
 - 1) No BID levy relief will be given;
 - 2) Where there is no existing occupational lease, the liability will fall to the property owner until a new lease is confirmed. The owner will be entitled to vote in the BID ballot.
- The levy will be discounted for charitable organisations at the same level as their mandatory relief – normally 80%.
- The retail businesses within the BID boundary which are already contributing to the Retail Birmingham BID will not be liable for any further levy.

BID 3 Ballot, Commencement Date and Term

The BID ballot will take place during October/November 2018, conducted by Independent Scrutineer Electoral Reform Services.

If successful, Colmore Business District BID 3 will commence on 1st April 2019.

The third five-year term will end in 2024 and a renewal ballot is likely to be held before then.

Consultation

The following consultation has been carried out with levy payers:

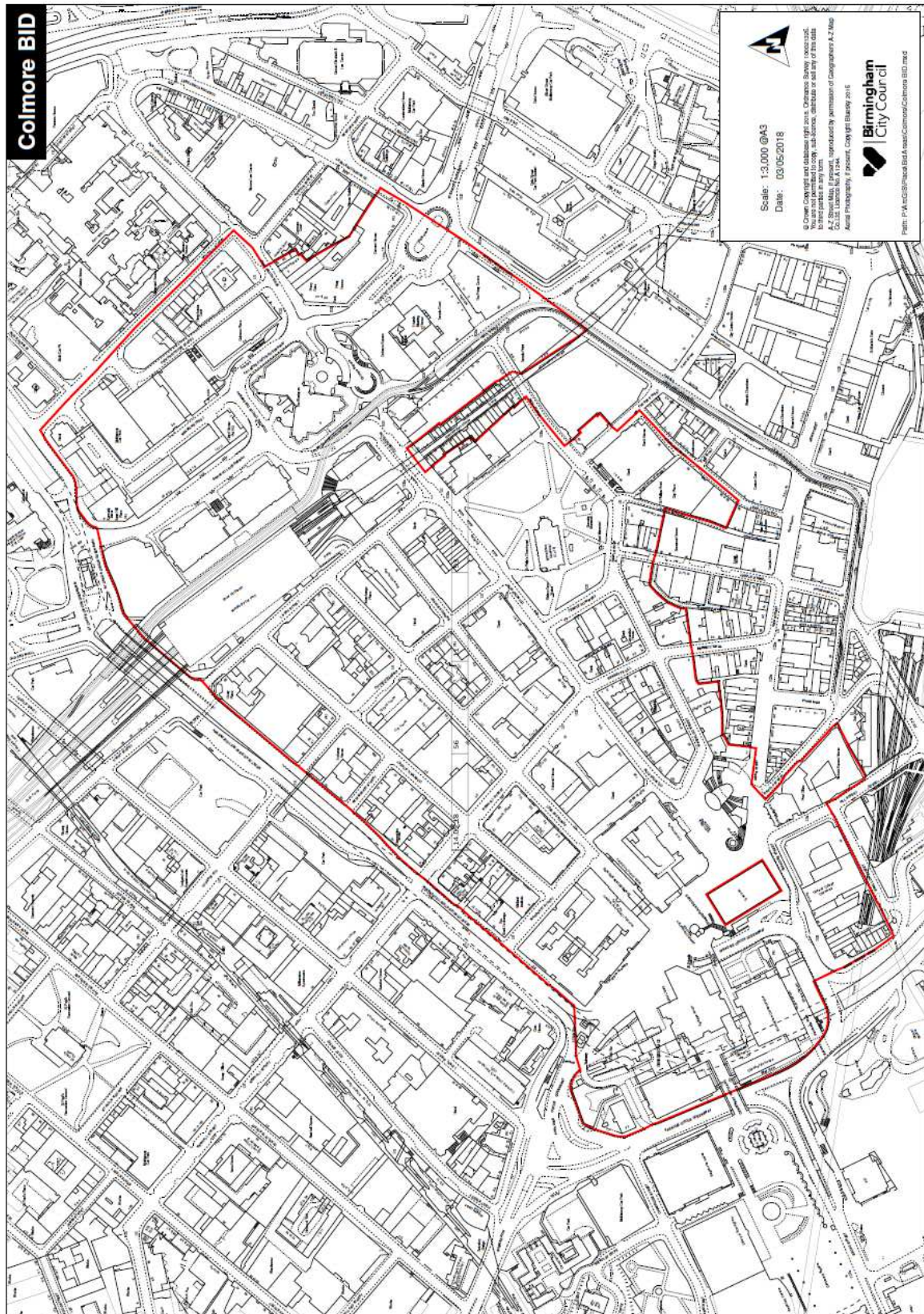
- Two breakfast meetings with top levy payers
- Two meetings with the Property Owners and Agents Forum
- Lunch with levy payers representing different sectors and size of organization
- Five focus group lunches on each of the BID's work areas
- Three focus group lunches for general discussion on the work of the BID
- Email out to our database of 2,000 people asking for feedback, ideas and giving them the opportunity to join a lunchtime discussion
- Ambition magazine was published at the end of December 2017 and posted out to all voter contacts, highlighting the change of boundary and levy.
- Meetings held with Paradise Board to discuss and agree to the proposal for Paradise to be part of the Colmore BID's geographical area for BID3.
- Four drop-in sessions with the businesses in the potential expansion area at the top of Steelhouse Lane and Corporation Street.
- Colmore Security Network

We have produced a four-page consultation document based on our dialogue with levy payers and staff working within the companies and we are now using that document to further develop our

ideas for the BID 3 business plan. We have arranged 10 consultation meetings, during the period May and early July, which all levy payers have been invited to.

We look forward to delivering another successful BID term for our business community, should they show their support for us in our next ballot during October/November 2018.

Colmore BID Map



APPENDIX 4

Financial Implications for the City Council

1. Ballot Costs

- 1.1 In accordance with the BID Regulations, the City Council is liable for the cost of holding the ballot, except where the number of persons voting in the ballot is less than 20% of the number of persons entitled to vote and the proposals were not approved.
- 1.2 The cost of the ballot for Colmore BID is estimated at £9,595 to be funded from Policy Contingency.

2. Levy Collection Costs

- 2.1 The City Council is responsible for collecting the BID levy, and paying over any sums to the BID company.
- 2.2 The set up costs, both for renewals and new BIDs relate to the ICT Digital Solutions costs involved in setting up and testing the new databases needed for each BID. These costs vary depending on the amount of work required to set each one up. A sum for cleansing the present database together with testing and revised set up estimated at £15,370.
- 2.3 For the running costs there is an annual ICT Digital Solutions charge for recovery work of £9,991.
- 2.4. The City Council can recharge costs to BIDs, however no charge has ever been implemented on any of Birmingham's existing BIDs for levy collection, set up or running costs, with all such costs currently being funded from Policy Contingency. However opportunities for improved partnership working with our business community to deliver services coupled with present financial constraints require that a new model for BID support should be prepared, this is currently under consideration by the Acting Director of Regulation & Enforcement and a proposal is envisaged for late 2018. Meanwhile, it is recognised that BIDs preparing for ballot up to March 2019 require clarity and certainty at the start of their preparation from 1st January 2018. Therefore the support that has been provided to the existing BIDs is extended to the Colmore BID, funded from Policy Contingency.

3. BID levies payable by Birmingham City Council

- 3.1 The BID Proposal, if approved in the relevant BID ballot, requires that all eligible businesses must pay a BID levy. City Council owned / occupied premises in the BID area will also be subject to the BID levy. The table below shows the BID levy costs for the council owned premises.

Property/Address	Directorate	1.5% Levy pa £	Possible levy pa £	Rateable Values	Notes
Council House and Extension	CAB	£12,825		RV £855,000	Property subject to planned refurbishment and alteration during the BID lifetime
Livery Street Car Park	Transportation Car Parks	£11,175		RV £745,000	Property subject to potential redevelopment during the BID lifetime
Birmingham Museum & art Gallery	Museums Trust		Trust Liability	n/a	Not Birmingham City Council
Various Long term lettings at; Paradise street Newhall Street Edmund Street Colmore Circus Snow Hill Snow Hill Queensway and Steelhouse Lane	Let		n/a	n/a	No liability unless vacated Very low expectation of any liability for business rates
Wardens Office at Snow Hill Railway station	Transportation Vacant to let		Below Threshold	RV £4,100	Not liable for Levy
CCTV equipment at 1 Victoria Sq	Housing		Below Threshold	n/a	Not liable for Levy
Advert Hoarding, Gt Charles St/Livery St	Economy		Below Threshold	n/a	Not liable for Levy
St Philips Churchyard	Place Cemeteries		£0	RV £ ZERO	Not in Rating
Contingency			£0		Best estimate given lease arrangements
Total annual liability for BCC		£24,000			

- 3.2 Whilst Birmingham City Council presently operates a considerable managed estate in the Colmore Business District it is almost entirely let on long leasehold terms with rates liability (and therefore BID levy liability) held by the leaseholder. In most cases it is expected that presently let properties will remain let and therefore no levy liability will need to be attributed to the City Council. However from time to time during the course of the five year term of the

BID premises may become vacant and the City Council will need to undertake payment of the BID levy where this occurs.

- 3.3 The major levy liability will be the Council House and extension, however this property is presently subject to a Rateable Value reduction due to nearby building works and is also planned for major refurbishment, which will make further alterations to the Rateable Value.
- 3.4 Livery St Car Park – forms part of the Snow Hill masterplan for redevelopment, It is highly probable that the site will be taken out of rating during the next five years, however no specific date has at present been identified.
- 3.5 The number of property interests where business rates are payable in a BID area equates to the number of votes available in a BID ballot. The number of City Council interests/votes in the forthcoming ballot will be two.

4. BID Revenue Account

- 4.1 The City Council is required to maintain a BID Revenue Account for each BID, for all financial transactions in relation to the BID levy.
- 4.2 Payments to the BID are proposed as with existing BIDs i.e. two advance payments and a balancing payment in each year. BID operating bodies are advised to consider possible loss on collection and bad debt when conducting their business planning exercises.
- 4.3 These arrangements will be formalised in an Operating Agreement between the City Council and the operating body for the BID.

5. Baselined City Council Services

- 5.1 In accordance with the BID Regulations, a statement of the existing baseline services (if any) provided by public authorities must be included in the BID Proposal. This helps businesses understand what they are paying for with their BID levies. For Colmore BID these include:-

- Waste Management Services
- Highway Services, in conjunction with Amey - street maintenance, lighting,

The Colmore BID will reference these in its consultation with the BID levy payers and in the BID Proposal. However given the financial challenges being faced by the City Council it will be made explicit that city wide services may be reduced or changed and if so this would also apply in a BID area. In such an instance the BID may choose to fund these services.

- 5.2 This relevant baseline information will be brought together under Service Level Agreements between the operating body for the BID and the City Council.
- 5.3 The services of other public bodies e.g. West Midlands Police will also be baselined and it is likely that the caveat on budget reductions will apply here also. This will be an agreement directly between the BID and other public bodies.

6. Summary of Proposed Financial Support

6.1 The tables below summarises the proposed City Council financial support for the Colmore BID over the ballot and set-up period and five year term, 1st April 2019 – 31st March 2024.

POLICY CONTINGENEY SUPPORT – Year 1 Costs Only	Unit Cost	Year 1 Total
Ballot costs (see 1.2 above)	£9,595	£24,965
Businesses Database and revisions and Levy collection set up costs (testing – see 2.2 above)	£15,370	
POLICY CONTINGENEY SUPPORT - Annual Costs – 5 Years	Unit Cost	Cumulative
Annual Running Charge – (see 2.3 above)	£9,991	£49,955

BID LEVY COMMITMENTS	Unit Cost	Cumulative
BID Levy Payments - current BCC Properties (3.1 above)	£24,000	£120,000
BID Levy Payments – Contingency if BCC let becoming void (3.2 above)		£0

	2018	2019	2020	2021	2022	2023
Ballot	9,595					
Database and Set up	15,370					
Levy payments		24,000	24,000	24,000	24,000	24,000
ICT Digital Solutions charge		9,991	9,991	9,991	9,991	9,991
Total	24,965	33,991	33,991	33,991	33,991	33,991
Cumulative Total	24,965	58,956	92,947	126,938	160,929	194,920

n.b. See note 3.3 & 3.4 Unknown variations will apply to reflect refurbishment and re-use from 2019 onward, The figures provided for levy payments represent a conservative estimate of liabilities and depending upon refurbishment and development timetables the figures may be lower.

Appendix 5

Ward Councillor Consultation Matrix

BALLOT AND RENEWAL OF COLMORE BUSINESS IMPROVEMENT DISTRICT 2018

Stakeholder	Ward	Site (if report relates to multi sites)	Response to consultation on DATE SENT
Cllr Kath Hartley	Ladywood	Colmore Business area	<p>I am very impressed by the Colmore Business Improvement District team's achievements. They have both initiated and have been involved in projects to improve the public realm for everybody who visits their part of the City Centre, not just for the businesses and their staff. They have led on some excellent public events which have drawn people to the City Centre and set Birmingham in a really good light. I have also seen how they have brought the business community together at all levels. The Colmore BID area of Birmingham City Centre is certainly so much safer, cleaner, accessible and successful.</p> <p>Councillor Kath Hartley 20/6/2018</p>
Cllr Sir Albert Bore	Ladywood	Colmore Business Area	<p>Colmore BID has accomplished much of what was proposed for the first two terms of the BID. I am wholly supportive of the prospectus for another five year term as the proposals for the next five years will add both to the quality of the public realm and the vibrancy of the quarter, and the attractiveness of the area to businesses and visitor alike.</p> <p>Councillor Sir Albert Bore 16/6/2018</p>

Appendix 6

Self Regulation Checklist



Colmore BID Self regulation checklist

The Process

Both BCC and the BID Proposer should comply with the following activities:

- A written request has been made to BCC for a copy of the details of levy payers, to include:
 - The name of the levy payer
 - The address
 - The rateable value of each occupied hereditament, or
 - The rateable value of hereditaments owned, but not occupied
- The above notice must be
 - In writing; and
 - Confirm that the requester intends to use the details for the purpose of canvassing in advance of a BID ballot
- The BID has paid the relevant fee (if any) for this
- The BID proposer is:
 - A non-domestic rate payer in relation to a hereditament situated in the proposed BID area
 - Has an interest in land located in the BID area, or
 - Is a body one of whose purposes is developing BID proposals
- Birmingham City Council has made available a copy of the data they have provided at their main office during working hours
- The BID has issued a notice to Birmingham City Council and the Secretary of State of their intention to hold a ballot 84 days before sending the notice requesting Birmingham City Council to instruct ERS
- The BID has provided a notice in writing requesting Birmingham City Council to instruct ERS
- The BID has provided evidence that it has sufficient funds to meet the costs of the BID ballot
- The BID has provided evidence that they have made reasonable attempts to send a copy of their BID proposals to all liable levy payers
- Birmingham City Council is satisfied that the BID proposals do not conflict with a policy adopted by Birmingham City Council
- Birmingham City Council is satisfied that the BID proposal will not act as a significantly disproportionate financial burden on a person or class of person, in comparison to other non-domestic rate payers in the BID area
- The BID has provided information about the financial management arrangements for the BID, including arrangements for providing information on finance to Birmingham City Council
- The BID has provided a summary of the consultation they have undertaken
- The BID has provided a summary of the BID proposals (See below: The Proposal / Business Plan)

The Proposal / Business Plan

The Plan must include:

- A statement of the services to be provided, the name of the organization who will provide them and the type of body that the provider is (a local authority, a company under control of the authority, a limited company or a partnership).
- A statement of the existing baseline services
- A description of the geographical area to be covered, including a map
- A statement of which classes of ratepayer will be liable for the BID levy (e.g. any cap or lower threshold)
- An explanation of how the levy is to be calculated
- An explanation of whether the costs incurred of holding the ballot or implementing the BID will be recovered through the BID levy
- A statement of which classes of ratepayer will receive relief, and to what amount (e.g. discounts and exemptions)
- A statement of what elements of the arrangements, if any, can be altered without an alteration ballot
- The length of the BID term
- The commencement date of the BID term
- The following set of financial information
 - Estimated cash flow
 - Estimated predicted revenue
 - Estimated predicted expenditure
 - Predicted budget for the duration of the BID term
 - Contingency Margin

Appendix 7

Letter to Secretary of State

The Rt Hon. Sajid Javid MP
Secretary of State for Housing Communities and Local Government
c/o Peter Bates
Local Taxation Division
Department for Communities and Local Government
Fry Block/South East/2nd Floor
2 Marsham Street
London
SW1 4DF



02 MAY 2018

26th April 2018

Dear Minister Javid,

NOTIFICATION OF INTENTION TO SUBMIT A BID PROPOSAL FOR BALLOTING PURPOSES

Please accept this letter as notification, as required by regulation 3(2) of The Business Improvement District (England) Regulations 2004, of Colmore Business District Limited's intention to submit a BID proposal to Birmingham City Council for balloting purposes at least 84 days from the date of this letter.

Name of BID:	Colmore Business District – renewal of existing BID which ends on 31 st March 2019 (operated by Colmore Business District Limited)
Name of Billing Authority:	Birmingham City Council
Proposed Ballot Dates:	Monday 15 th October 2018 to Tuesday 20 th November 2018
Contact Details:	Michele Wilby Executive Director Colmore Business District Tel: 0121 236 4685 Email: Michele.wilby@colmorebid.co.uk

Can you please acknowledge receipt of this Notification by email to Michele Wilby at the details provided above.

Kind regards.

Yours sincerely

Gary Cardin
Chair of Colmore Business District



Copied to:

Councillor Ian Ward
Dawn Baxendale
Richard Cowell
Waheed Nazir
Robert Connelly

Leader, Birmingham City Council
Chief Executive, Birmingham City Council
Assistant Director of Development, Birmingham City Council
Corporate Director, Economy, Birmingham City Council
Head of Electoral Services, Birmingham City Council

Appendix 8

Letter Colmore Business District to BCC



Received by CHIEF EXECUTIVE
Ref No: CX 45740

02 MAY 2018

Dawn Baxendale
Chief Executive, Birmingham City Council
The Council House
Victoria Square
Birmingham
B1 1BB

26th April 2018

Dear Dawn,

**NOTIFICATION OF INTENTION TO SUBMIT A BID PROPOSAL FOR BALLOTING
PURPOSES
COLMORE BUSINESS DISTRICT BID – RENEWAL BALLOT**

I have, today, served Notification to the Secretary of State for Communities and Local Government, as required by regulation 3(2) of The Business Improvement District (England) Regulations 2004, of the Colmore Business District BID's intention to submit a BID proposal to Birmingham City Council for balloting purposes at least 84 days from the date of this letter.

The current five year term of the Colmore Business District BID ends on 31st March 2019.

A copy of my Notification is attached for your information, and I have also formally advised the others listed on the Notification to the Secretary of State.

I will ensure that you are kept fully briefed of progress over the coming months.

With kind regards

Yours sincerely

Gary Cardin
Chair of Colmore Business District

Appendix 9

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none">(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none">(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none">(a) tackle prejudice, and(b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none">(a) Marriage & civil partnership(b) Age(c) Disability(d) Gender reassignment(e) Pregnancy and maternity(f) Race(g) Religion or belief(h) Sex(i) Sexual orientation

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Colmore Business Improvement District
Directorate	Place
Service Area	Place - Regulation & Enforcement
Type	New/Proposed Policy
EA Summary	To assess the equality impact of supporting the ballot and renewal of Colmore Business Improvement District (BID) for a five year term, commencing 1 st April 2019
Reference Number	EA002869
Task Group Manager	Chris Neville
Task Group Member	
Date Approved	2017 06 08 00:00:00 +0000
Senior Manager	Jacqui Kennedy
Quality Control Officer	Place

Introduction

The report records the information that has been submitted for this equality analysis in the following format:

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed;

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Function

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Function and expected outcomes?

A Business Improvement District (BID) is where eligible businesses within a defined area vote in a secret ballot to invest collectively in additional projects and services specifically for their area. E.g. Marketing and promotion, street improvements including signage, flowers and festive lights and business support.

For each strategy, please decide whether it is going to be significantly aided by the Function

Public Service Excellence	No
A Fair City	No
A Prosperous City	Yes
A Democratic City	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	Yes
Will the policy have an impact on wider community?	Yes

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Not Relevant	No
Disability	Not Relevant	No
Gender	Not Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy and Maternity	Not Relevant	No
Race	Not Relevant	No
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

2.4 Analysis on Initial Assessment

The Colmore BID area is located with the Ladywood Ward, Ladywood District.

In 2016 the population recorded for Ladywood District was 142,606 people, of which 34,504 people were identified as living within Ladywood Ward. The Ladywood district population figure represents 12.7% of Birmingham's population. Only 6.5% of the district's population are over 65 (Birmingham 13%, England 18%).

Approaching half of the population of Ladywood (48%) consisted of ethnic minorities compared with 41% for Birmingham in general. The largest ethnic minority groups were Indian and Chinese at 8% each.

There is likely to be a positive impact arising from this BID.

In renewing the Colmore BID, the proposers; Colmore BID Limited have consulted with over 600 Colmore BID Levy Payers on proposals for projects and services to deliver in the next five years. The Colmore BID is proposed to invest across the area through a multitude of themes. The consultation with the local businesses has highlighted that they expect and want the BID to care for the physical aspects of the area; delivering, influencing and partnering on public realm projects to make Colmore BID an outstanding place. Local businesses would also like to see the area safer

and more secure, engage in more national marketing and events for building the business community feel of the area.

The main areas of activity will be focussed on the following themes:

- 1) Public Realm Improvements
- 2) Safety and Security
- 3) Place Marketing
- 4) Community building
- 5) Accessibility & Connectivity
- 6) Business Support

Findings from feasibility and consultation surveys undertaken by Colmore BID Ltd have shown that the BID can make a significant impact in improving the physical and visual retail and working environment for shoppers, visitors, residents and those that work within the area.

As a stakeholder to the City Council, Colmore BID feels that the BID should be able to influence and lobby upon issues pertaining to place management, planning and regeneration, highways, parking etc. The BID proposes to work to lobby and influence the decision makers on issues of concern relating to Colmore and business therein both strategically and operationally.

It is concluded that given the BID objectives and the demographic make-up of the area there is likely to be a positive impact on the community. This is likely to be realised in terms of community safety, jobs and prosperity and a more cohesive community through events and promotional activities.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase

3.1 Concluding Statement on Full Assessment

Based on the initial analysis, consultation and feedback from stakeholders that the future Colmore BID's activities will contribute to equality of opportunity by improving the image and service of the local centre, it is concluded that a full equality assessment will not be required

4 Review Date

01/06/2023

5 Action Plan

There are no relevant issues, so no action plans are currently required.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	THE LEADER OF THE COUNCIL JOINTLY WITH CORPORATE DIRECTOR, ECONOMY
Report of:	Assistant Director of Property (Interim)
Date of Decision:	July 2018
SUBJECT:	DISPOSAL OF THE DRUM, 144 POTTERS LANE, ASTON
Key Decision:	No
If not in the Forward Plan: (please "X" box)	Relevant Forward Plan Ref: N/A
Relevant Cabinet Member(s) or Relevant Executive Member:	Chief Executive approved <input type="checkbox"/> O&S Chair approved <input type="checkbox"/> Councillor Ian Ward – Leader of the Council
Relevant O&S Chair:	Councillor Tahir Ali - Economy & Skills
Wards affected:	Aston

1. Purpose of report:

- 1.1 To note the outcome of an informal tender process for the freehold disposal of surplus Council owned property known as The Drum, 144 Potters Lane, Aston.
- 1.2 The subject property is shown edged black on the enclosed plan having a site area of 0.39 hectares (0.98 acres).

2. Decision(s) recommended:

- 2.1 That the Leader of the Council and the Corporate Director, Economy are recommended to note this report.

Lead Contact Officer(s):	Rob King – Property Services
Telephone No:	0121 303 3928
E-mail address:	robert.king@birmingham.gov.uk

3. Consultation

3.1 Internal

3.1.1 The Leader of the Council has been consulted regarding the contents of this report and is fully supportive of the report proceeding to an executive decision.

3.1.2 The relevant Ward Members have been consulted and no adverse comments have been received to the reports content. The detail of this consultation is set out in Appendix 2 of this report.

3.1.3 The relevant officers from the Place, Finance and Strategic Services Directorates have been involved in the preparation of this report.

3.2 External

3.2.1 No external consultation has taken place regarding the content of this report.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

4.1 The proposal contributes towards the Council's Vision and Forward Plan 2017 priority of "Jobs and Skills - A Great City to Succeed In" through bringing a significant empty building forward for re-use which will generate economic activity and create jobs. It will also assist to produce a balanced budget as per the Council Plan and Budget 2018+ in delivering a capital receipt and rationalising the Council's property portfolio as part of its asset management programme.

4.2 Financial Implications (How will decisions be carried out within existing finances and Resources?)

4.2.1 The disposal will generate a capital receipt for the Council to help support the Council Plan and Budget 2018+ and contribute to key business priorities. The approved report of the Assistant Director of Property (Interim) to the then Interim Leader of the Council and Corporate Director Economy entitled "Disposal of Surplus Property – The Drum 144 Potters Lane Aston", in November 2017 provided that the releasing service will receive a revenue stream equivalent to 6.4% of the capital receipt generated. The Place Directorate will, subject to business case approval, use this revenue stream in part to fund cultural projects in the Aston and Newtown community. The disposal of the building will remove a revenue liability from the City Council in respect to managing vacant premises.

4.3 Legal Implications

4.3.1 The power to acquire, dispose and manage assets in land and property is contained in Section 120 and 123 of the Local Government Act 1972.

4.3.2 Following the listing of the property as an Asset of Community Value the property has been advertised for sale having specific regards to the provisions of the Community Right to Bid as detailed in the Localism Act 2011, and detailed in section 5.4 of this report.

4.4 Public Sector Equality Duty

4.4.1 The proposed sale of the property was subject to an Equality Assessment no EA001528 dated 8th December 2016, which disclosed that no further Assessment is required for this report.

5. Relevant background/chronology of key events:

5.1 The subject property is shown edged black on the enclosed plan at Appendix 1 of this report. The property comprises a community and events venue of renown on Potters Lane, Aston, occupying a site extending to 0.39 hectares (0.98 acres).

5.2 The building was declared surplus in a report of the Assistant Director of Property (Interim) to the then Interim Leader of the Council and Corporate Director Economy entitled "Disposal of Surplus Property – The Drum 144 Potters Lane Aston", in November 2017. The report also approved the subsequent sale of the property.

5.3 The property has been registered as an Asset of Community Value under the Localism Act 2011.

5.4 The property has subsequently been offered for sale by informal tender to qualifying community

groups only, in accordance with the moratorium provisions in the Localism Act 2011. A tender report detailing the outcome of the tender process is appended to the report on the private agenda.

6. Evaluation of alternative option(s):

- 6.1 Not to proceed would mean not realising a capital receipt, with no alternative internal use for the property identified.
- 6.2 The sale of the property will remove an ongoing management liability to the Council.
- 6.3 The sale of the property will ensure the property is brought back into beneficial use.

7. Reasons for Decision(s):

- 7.1 The disposal will generate a capital receipt that can be reinvested by the City.
- 7.2 The sale of the property will ensure that an under-utilised property will be brought back into beneficial use for the local and wider population.

Signatures

Date

Councillor Ian Ward
Leader of the Council

.....

.....

Waheed Nazir
Corporate Director, Economy

.....

.....

List of Background Documents used to compile this Report:

Relevant Officers file(s) save for confidential documents

List of Appendices accompanying this Report (if any):

Appendix 1 – Site Plan

Appendix 2 – Ward Member Consultation Record Sheet

PROTOCOL PUBLIC SECTOR EQUALITY DUTY

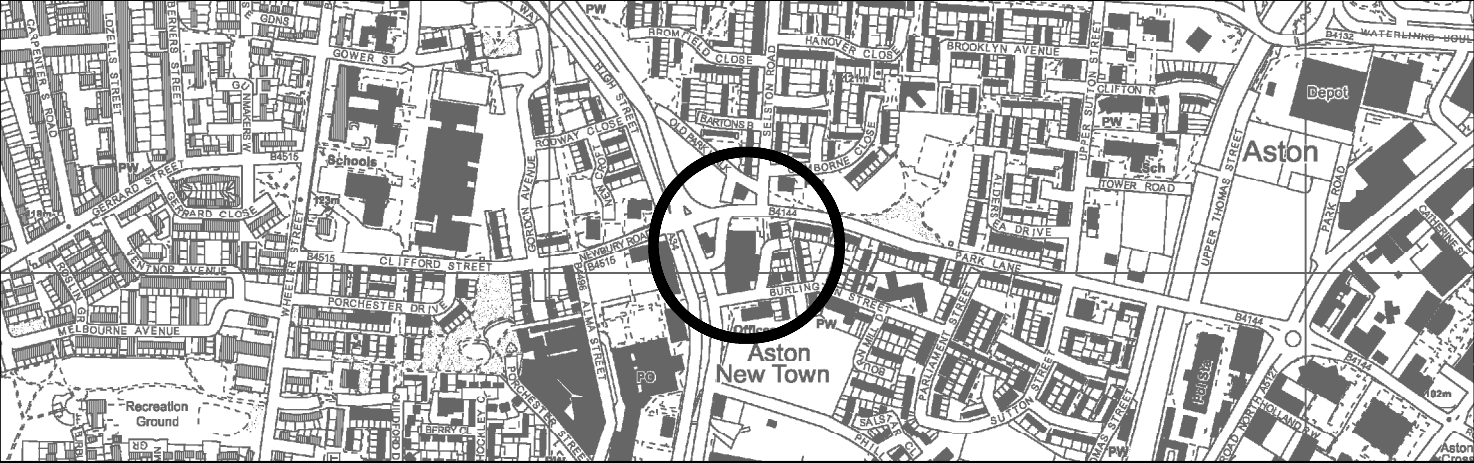
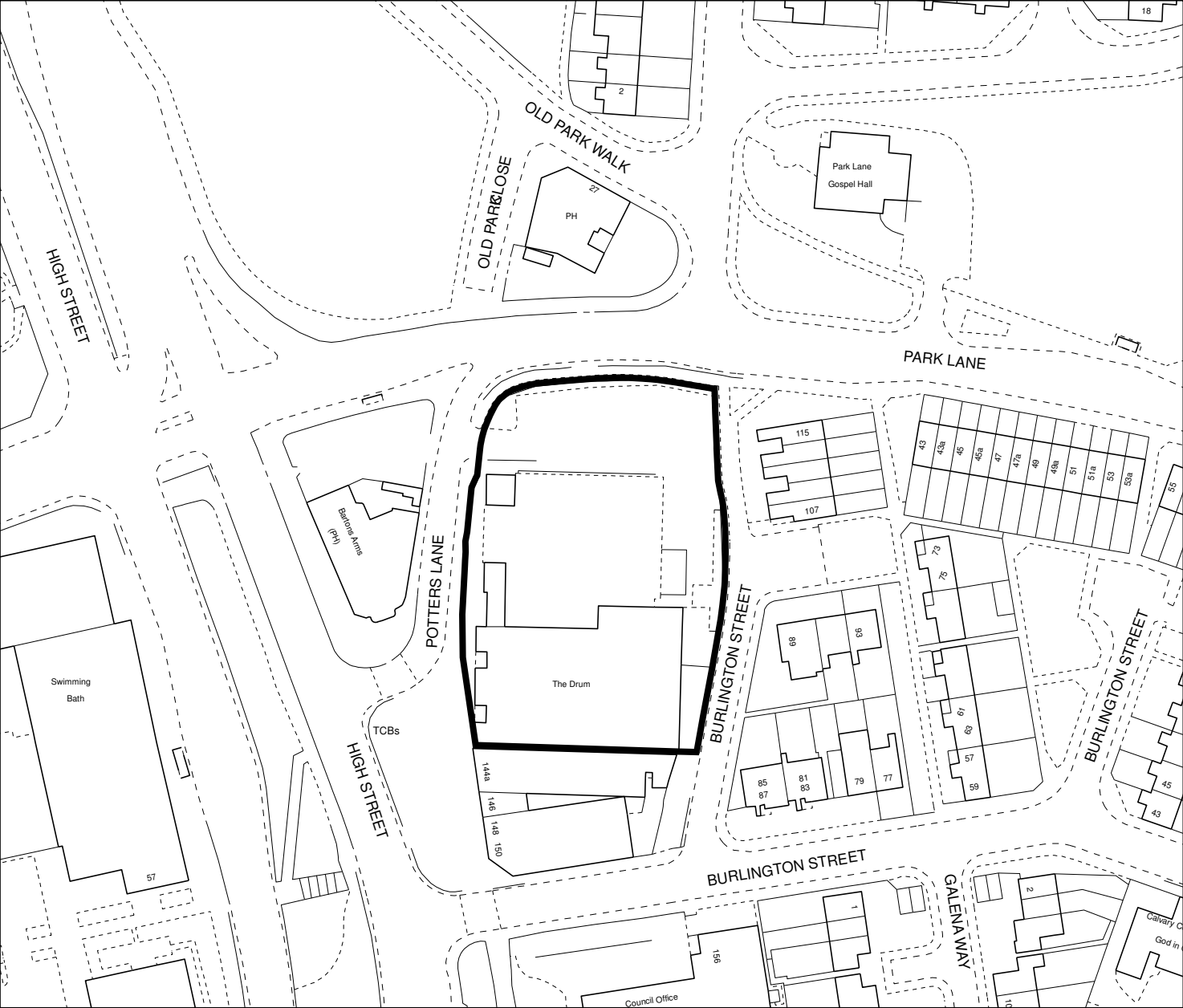
- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in section 4.4 of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty (as an appendix).

Equality Act 2010



The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

- 1 The Council must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 4 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) tackle prejudice, and
 - (b) promote understanding.
- 5 The relevant protected characteristics are:
 - (a) marriage & civil partnership
 - (b) age
 - (c) disability
 - (d) gender reassignment
 - (e) pregnancy and maternity
 - (f) race
 - (g) religion or belief
 - (h) sex
 - (i) sexual orientation



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 Birmingham City Council		Waheed Nazir Corporate Director, Economy 1 Lancaster Circus Birmingham B2 2GL		
The Drum Potters Lane Aston		Scale (Main Map)	Drawn	Date
		1:1,250	Bharat Patel	11/06/2018
		Page 45 of 48 Ref SP0789SW		

Ward Member Consultation The Drum Potters Lane Aston (July 2018)

PROPERTY ADDRESS	WARD	CONSULTATION	COUNCILLOR RESPONSE	RESPONSE
The Drum, Potters Lane Aston	Aston	Email dated 21/6//2018 requesting comments by 29/6/18	Muhammad Afzal - no response received Nagina Kauser - no response received	

