

# Brighton & Hove City Council

## Cabinet

## Agenda Item 40

**Subject:** Brilliant Brighton Business Improvement District (BID) – New Ballot

**Date of meeting:** 25 September 2025

**Report of:** Cabinet Member for Finance and City Regeneration

**Contact Officer:** Name: Peter Sharp  
Email: peter.sharp@brighton-hove.gov.uk

**Ward(s) affected:** Regency, West Hill & North Laine

**Key Decision:** No

**For general release**

### **1. Purpose of the report and policy context**

- 1.1 This report is to seek approval from Cabinet for the renewal (with a minor geographical amendment) of the existing city centre Business Improvement District (BID) in 2026, which strongly aligns with the city's Economic Plan and core outcomes 1 (a city to be proud of) and 2 (a fair and inclusive city) of the Council Plan 2023-27.
- 1.2 As set out in Paragraph 3.7, the BID is not run by the Council. The BID Regulations require the Council to support the BID as set out in Paragraph 3.17 to ensure successful delivery. This includes ballot administration and there are key steps that the Council must undertake (set out in Recommendations 2.1 – 2.3) in this regard.

### **2. Recommendations**

- 2.1 That Cabinet agrees to support the renewal of the BID for the period 1 July 2026 to 30 June 2031 on the basis outlined in Paragraphs 3.16 and 3.17.
- 2.2 That Cabinet agrees to delegate authority to allow the Head of Cabinet Office to oversee the BID process and enter into the renewal of the BID Operating Agreement and any associated documents, following consultation with the Cabinet Member for Finance and Regeneration.
- 2.3 That Cabinet agrees to post a Notice of Ballot by 16 October pursuant to the Business Improvement District (England) Regulations 2004.

### **3. Context and background information**

#### What is a BID?

- 3.1 A Business Improvement District (BID) is a defined geographical area which involves business rate-payers located within it, subject to specific categorisation. The Business Improvement District (BID) Regulations 2004

provide the framework for the establishment, management and operation of BIDs.

- 3.2 The majority of BIDs are focused on town and city centres (primarily retail), but the legislation allows any commercial area (including industrial estates) to establish a BID if a majority of businesses (i.e. more than 50% of eligible rate-payers by both total Rateable Value and number of hereditaments) vote in favour. According to the British BIDs Network, there are now an estimated 347 BIDs that represent around 133,000 businesses across the country.
- 3.3 BIDs last for a maximum term of 5 years and businesses within the defined area pay an additional levy - calculated as a proportion of the Rateable Value of their commercial premises - to fund improvements that can enhance their trading environment. The right to charge a levy arises under Section 41 of the Local Government Act 2003, which authorises a billing authority (such as the Council) to make BID arrangements for an area within its district.

#### Brilliant Brighton

- 3.4 The current city centre BID – ‘Brilliant Brighton’ – lasts from July 2021 until June 2026. It encompasses 517 retail and hospitality businesses on the ground floor of commercial premises within the area covering Western Road to the junction with Montpelier Road, Preston Street, North Street and parts of both The Lanes and the North Laine.
- 3.5 Brighton’s BID was formed to help create a thriving, safe, clean and vibrant city centre that residents and visitors want to come back to time and again. At the last ballot in 2021, the BID presented a business plan focused on core areas for investment including:
- Providing city centre Christmas lights displays
  - Dressing the city during spring / summer months (hanging baskets, banners, bunting and campaigns)
  - Providing on-street security / City Centre Ambassadors throughout the week
  - Marketing and events to promote city centre businesses.
- 3.6 The BID currently charges a BID levy<sup>1</sup> of 1.5% per annum, which generates around £390,000 per annum, and is well supported – at the last ballot in 2021, 82.5% of businesses by hereditament, that is, by individual property, voted in favour of renewal. The 2026-2031 BID will be the fifth iteration of a BID operated in Brighton city centre (the first ran from 2006-2011).
- 3.7 The BID is run by its Board of Directors who are comprised of ratepayers from within the BID area. It is not run by the Council.

#### Alignment with Council Plan

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<sup>1</sup> There are a number of thresholds and caveats that protect the smallest businesses within the BID and help to maintain the city centre’s balance between independent businesses and multiple chain retailers.

- 3.8 The BID strongly aligns with the Council's Corporate Plan, primarily focused on Outcome 1 (a city to be proud of), as well as creating an inclusive and fairer city (Outcome 2). The table overleaf sets out key alignment.

<b>Outcome 1: A city to be proud of</b>	
<b>Investing in our city</b>	<b>Alignment with Business Improvement District</b>
Grow a diverse and sustainable city economy	<ul style="list-style-type: none"> <li>The BID supports small and medium-sized businesses, providing a programme of events and marketing that promotes the city as a destination, as well as operating a threshold below which small businesses are not liable for the BID levy.</li> <li>The BID works with the Council and other stakeholders to enhance the look and feel of the city centre.</li> </ul>
Promoting and protecting what makes Brighton & Hove unique	<ul style="list-style-type: none"> <li>The BID helps to build pride in the city centre, attracting visitors and enhancing the environment through hanging baskets, window displays, etc.</li> </ul>
<b>Outcome 2: A fair and inclusive city</b>	
<b>An inclusive and fairer city</b>	<b>Alignment with Business Improvement District</b>
A city where people feel safe and welcome	<ul style="list-style-type: none"> <li>The BID provides City Centre Ambassadors that support crime reporting and stock recovery for city centre businesses.</li> </ul>

#### Consultations on an Expanded BID Area

- 3.9 The BID and the Council jointly commissioned an options appraisal in Autumn 2024, that was carried out by [Locus Management Solutions](#). The purpose of this study was to jointly explore the viability of expanding the BID. Subsequently in January 2025, the Directors of the BID Board met and agreed to initiate the process of BID renewal and to explore the viability of expanding the BID.
- 3.10 Following the BID Board Meeting, consultations took place in June and July 2025 with all non-domestic ratepayers in the affected areas and included a focus on the geographical scope as well as options for expansion. These consultations considered on the following:
- Existing BID area
  - Inclusion of upper floor commercial premises within BID area
  - Sydney Street and Trafalgar Street
  - Queens Road
  - The remainder of the Lanes.
- 3.11 These consultations have been undertaken either in-person, via email or post, and where possible by multiple methods.
- 3.12 A result of these consultations is that businesses in the expansion areas cited have expressed doubts over joining the BID currently. This means that the prospects of success at ballot are slim. The impact of wider economic factors and low consumer confidence were cited as primary reasons behind this thinking.
- 3.13 Following discussion at the BID Board meeting in July 2025, it has been agreed to proceed on the basis of the existing geography less Preston Street (which also showed a low level of support). Areas not included at this

stage will be reviewed during the next 5-year BID term and the BID plans for continual business engagement during the next term.

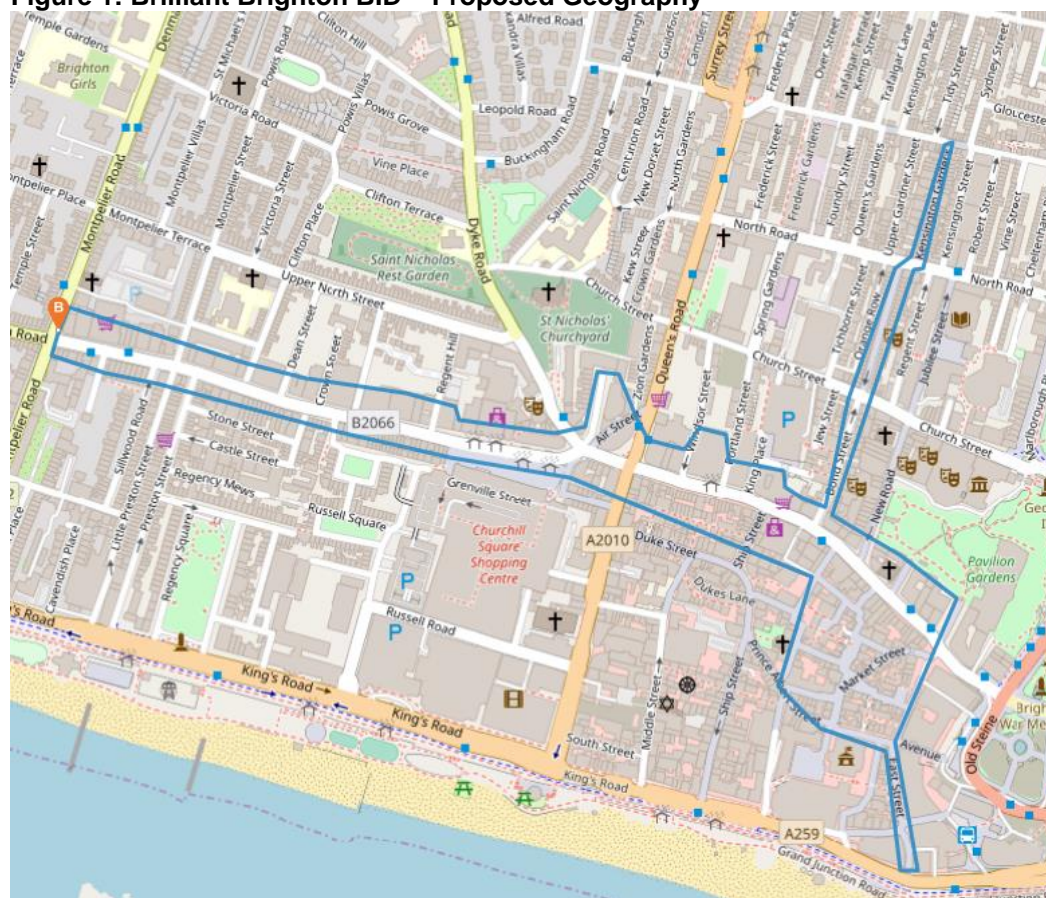
- 3.14 The results of consultation with impacted businesses within the BID has been used to create a business plan as required by Regulation 4 of the BID, which in turn will inform the BID Ballot.

#### BID Proposal and Ballot

- 3.15 BID arrangements cannot come into force unless the BID proposal is approved by a ballot of non-domestic ratepayers liable for the BID levy (Local Government Act 2003 c.26 s.49). To facilitate this, a Proposal will be drawn up (incorporating a business plan) and then put to ballot.
- 3.16 The geography for the BID renewal is shown below in Figure 1. The key aspects of the proposal are:
- That upper floor commercial premises are included
  - A higher BID levy (2%) is proposed
  - Levy rates are aligned to current rateable values (as at 31 March 2025) to minimise variation during the BID term.

This proposal will lead to an overall increase in BID income for reinvestment in the priorities for city centre businesses.

**Figure 1: Brilliant Brighton BID – Proposed Geography**



#### The Council's Role

3.17 The BID is run by Brighton BID Limited. Brighton BID Limited is a limited company (registered number 05686818) with its registered office at Brighton Police Station, John Street, Brighton, England, BN2 0LA. The company is run by its Board of Directors who are comprised of non-domestic ratepayers from within the BID area. The Council does not have formal representation on the Board. The Council's existing role in the current BID will continue in the renewed BID. The Council plays a supporting role to the BID through the following:

- **Ballot administration:** the Council's Returning Officer is the Ballot Holder and is legally responsible for the ballot process as set out within the BID Regulations. The Returning Officer has the option to deliver the Bid Ballot either in-house or outsourced.
- **Levy collection:** the Council is required to manage the collection and enforcement of the BID levy charge. BID entities and the local authority establish a levy collection agreement covering the term of the BID. The BID Regulations specify the process for approving BID proposals, conducting ballots, and other operational matters relevant to the Council's role. This role includes:
  - agreeing the principles and processes for collecting the levy;
  - enforcing levy payment; reporting on collection and bad debt;
  - monitoring provisions between the Council and the BID; and
  - provide regular detailed and summary information to the BID as the Council's client.

A fee will be payable from the BID to the Council for this service. Details will be set out in the BID Operating Agreement which will be drafted by BHCC's Legal team.

- **Baseline services:** It is a requirement under Schedule 1, paragraph 1(1) (b) to the BID Regulations that the BID proposals include a statement of the existing baseline services provided by the Council (or any other public authority) in the proposed BID area (if any). Services proposed to be funded by the BID would be set out and agreed as additional to this baseline offer. This is only required where there is a correlation between BID proposals and Council services, with the baseline taken as the service level at the start of the BID term in 2026. Once the BID Proposal has been finalised, the Baseline Services will be prepared in advance of the Ballot.
- **Support and facilitation:** The Council's Economic Development team works closely with the BID and other business networks in the city to support economic growth.

#### 4. Analysis and consideration of alternative options

4.1 Under the BID Regulations, the Council reserves the right to veto the BID proposals, albeit only in specific circumstances as shown:

- a. The Council concludes that the consultation carried out to produce the BID proposal and Business Plan has been inadequate (a breakdown of consultation undertaken will be provided in the final BID proposal documentation)

- b. The BID is a significantly disproportionate financial burden on any person or class of persons (as compared to the other non-domestic rate-payers in the BID area)
  - c. The BID proposal conflicts with any existing published or formally adopted Council policy.
- 4.2 The final BID business plan will be reviewed by the Economic Development team to ensure that the BID passes these tests.
- 4.3 If the Council chooses not to support the BID renewal, this is likely to have a detrimental impact on the city centre as c.£2.8m of investment over a 5-year period would be lost. This includes Christmas lights displays as well as security ambassadors and loss of marketing channels for some of the smaller independent businesses within the city centre.

## **5. Community engagement and consultation**

- 5.1 To ensure engagement and awareness with plans to renew the BID, the BID undertook consultations with affected businesses during June and July 2025. The consultation exercise has been designed to ascertain business perceptions of the BID, priorities for the next five years, improvements needed and the actions that will form the Business Plan from 2026 – 2031.
- 5.2 These consultations have aimed to engage with every person that pays the National Non-Domestic Rates bill for a hereditament within the proposed BID area. The BID was supported by research students from the University of Sussex alongside Locus Management Solutions.

## **6. Financial implications**

- 6.1 There are limited financial implications for the council related to the cost of running the ballot. This is estimated at £1,800 for printing and postage costs plus officer time. There is no allocated budget for this work and so this represents an in-year financial pressure.
- 6.2 The BID currently generates approximately £390,000 per year for investment in the priorities of city centre businesses. Should the ballot be successful, the new term of the BID is expected to generate c.£520,000 per year. The BID is producing a business plan (as set out in Paragraph 3.14) that will guide how this funding is invested.

Name of finance officer consulted: I. Chagonda Date consulted: 01/09/25

## **7. Legal implications**

- 7.1 The Council is required to comply with the process set out in the BID Regulations and the Local Government Act 2003, in relation to the renewal of (and any amendments to) the 'Brilliant Brighton' Business Improvement District.

- 7.2 The BID Regulations and the Local Government Act 2003 require non-domestic ratepayers to take part in a Ballot to determine whether the BID shall be renewed. The BID Regulations require a Proposal (including Business Plan) to be drawn up and then submitted by Ballot to non-residential ratepayers within the proposed Business Improvement District. Renewal of the Business Improvement District will proceed provided a majority of non-domestic ratepayers agree to the terms of the Proposal within the Ballot.
- 7.3 In accordance with the BID Regulations:
- the Ballot Holder for the Ballot is the Council's Returning Officer who is legally responsible for the Ballot Count; and
  - following renewal of the BID, the Council will be responsible for collecting and enforcing the BID levy from non-domestic ratepayers within the BID.
- 7.4 Provided that the Ballot is successful and the BID is renewed, an Operating Agreement will be drawn up by Legal Services to govern the role of the Council and that of the BID Company throughout the duration of the renewed BID.

Name of lawyer consulted: Jane Woods      Date consulted: 12/08/25

## **8. Risk implications**

- 8.1 As set out in paragraph 3.2, BIDs are voted on by the constituent ratepayers within a defined geographic area. The Council engages closely with the BID Board to maximise the benefit of additional investment in the city centre.
- 8.2 However, should the proposed ballot be unsuccessful, the BID will cease on 30 June 2026. This would directly impact upon council objectives, including SR40 (failure to maintain a clean and safe city). In particular the BID works closely with key council services (including City Operations and Economic Development) to provide the City Centre Ambassadors, events and promotions to enhance the city centre primary retail districts.
- 8.3 In terms of managing risk, the recommendations contained within this report are designed to ensure that the council's obligations in respect of the BID are fully met to facilitate the renewal process and the Council will comply with the BID Regulations in the carrying out of its role relating to the BID (as set out in paragraph 3.17).

## **9. Equalities implications**

- 9.1 A key principle in the Economic Plan is to promote inclusive growth in the city. An Equalities Impact and Outcome Assessment (EIA) was prepared for the Economic Plan identifying where work can be effectively focused to maximise benefits for diverse and vulnerable groups. BID renewal was a key action within the Economic Plan as it is a vital part of creating a leading destination that welcomes investment into Brighton & Hove.

- 9.2 The consultation process for BID renewal is led by the BID company and has actively considered how its design, governance, and delivery may impact individuals and groups with protected characteristics, and how it can contribute to a more inclusive and equitable city.
- 9.3 Brighton & Hove is a diverse and vibrant city, with a rich mix of communities, cultures, and business types. The BID renewal has sought to reflect this diversity by engaging all businesses within the proposed geography which encompasses a broad spectrum of stakeholders, including minority-owned businesses, community-led enterprises, and organisations representing underrepresented groups. Consultation activities were designed to be accessible and inclusive, with a variety of approaches adopted including online, via mail and in-person to ensure that voices from across the city were heard and considered.
- 9.4 The BID's strategic priorities aim to support economic growth and place-making in ways that are inclusive and equitable. Specific attention has been given to:
- Ensuring that levy structures and participation mechanisms do not disproportionately disadvantage small, independent, or community-focused businesses.
  - Promoting representation within BID governance structures to reflect the diversity of the local business and community landscape.
  - Embedding inclusive marketing and communications practices that reflect the cultural and demographic diversity of the city and its business community.
- 9.5 The BID will be expected to monitor its activities through an equality lens, including regular reviews of its impact on different groups and communities.

## **10. Sustainability implications**

- 10.1 Indirectly, the BID will support Council sustainability aspirations by providing a coordinated voice for 500+ businesses to engage with the Council. This includes through engaging with our leading Circular Economy programme as well as ensuring that net zero opportunities are promoted to all BID members.

## **11. Other Implications**

### **Crime & disorder implications:**

- 11.1 The BID's City Centre Ambassadors work closely with Sussex Police and the city's Business Crime Reduction Partnership to reduce crime and gather intelligence on criminal activity within the BID area. In 2024, the Ambassadors successfully recovered around £60,000 worth of stolen stock from the BID area.

## **12. Conclusion**



- 12.1 The Brilliant Brighton BID has made and continues to make a significant positive contribution to the look and feel of the city centre, driving activities and displays that attract visitors.
- 12.2 Continued support for the BID will help to deliver against the city's Economic Plan as well as the Council Plan. The BID is a valued partner to the council and is a key part in driving city centre investment and footfall.

### **Supporting Documentation**

#### **1. Background documents**

1. [Part 4 of the Local Government Act 2003 \(Business Improvement Districts\)](#)
2. [Business Improvement District \(England\) Regulations 2004](#)

