



MARBLE ARCH  
LONDON

# Conformity with Industry Criteria and Guidance



January 2016

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# Conformity with Industry Criteria and Guidance

This document sets out how the Marble Arch BID Proposal conforms to Industry Criteria and Guidance produced by British BIDs, in association with the British Retail Consortium (BRC), the Inter Bank Rating Forum (IBRF), the Federation of Small Business (FSB), the British Council for Shopping Centres (BSCS) and the British Property Federation (BPF).

The guidance was updated in November 2015 and is split into essential **(E)** and desirable **(D)** elements that a BID should demonstrate it can meet in order to satisfy the recognised industry criteria.

The full BID Proposal can be found at [www.marble-arch.london](http://www.marble-arch.london). For any information about the proposed BID, its benefits or the ballot please contact the team on 020 3145 1210 or via the website.

## GENERAL

### Aims and Objectives (E)

The BID Proposal sets out the overall vision for the Marble Arch area and the steps the BID will take towards achieving this. The BID Proposal uses four key themes of Public Realm and Growth, Enhanced Stewardship, Business, Staff and Guest Services, and Celebrating and Promoting Marble Arch; describing projects and services that will contribute towards the overall vision and explaining how the BID will collaborate with City of Westminster, Transport for London and neighbouring BIDs.

### BID Area (E)

The BID area, map and street list is defined in the BID Proposal in detail. Each sector included in the BID experiences similar issues and shares similar concerns, as evidenced in research and survey work over a number of years.

### Term (E)

The BID's proposed start date of 1 April 2016 and five year term are described in the BID Proposal. Five years brings the term to coincide with the completion and occupation of new developments in the BID area that have been excluded for the first term.

### Hereditaments (E and D)

As at 4 January 2016 127 hereditaments with a rateable value of £70,000 and above would be liable for the BID levy if the ballot is successful. In the BID's first term a significant block is excluded due to imminent development proposals. The hereditament numbers would therefore potentially be higher should the BID enter a second term.

### Property Owners (D)

Property owners have been represented on the Stakeholder Group overseeing the BID development phases from the outset, alongside businesses from the area. Voluntary contributions from landlords have been sustained for three years to date and these will continue if the BID is successful at ballot.

## ACCOUNTABILITY

### Research (E and D)

Over several years various studies have been undertaken by City of Westminster and Edgware Road Partnership (now Marble Arch Partnership) including on street surveys, retail health checks, sector focus groups and business interviews. This

evidence base was tested rigorously by the GLA through the Mayor of London's BIDs Fund application and interview process. A maximum grant of £30,000 was awarded to support the partnership to progress to ballot.

### **Consultation (E and D)**

From July 2015 all businesses were sent a questionnaire survey (both online and printed) to identify priorities for the BID based on the four themes mentioned above, with 17 being completed online and 35 completed in hard copy form and either emailed or completed face to face with one of the team. This represented a 42% response rate. This was then used to create and launch a further Prospectus for Consultation at the end of October 2015 and used as a tool to generate discussion on the detailed proposals. The Prospectus was emailed, hand delivered and posted to all businesses. Where the voter was at head office level a Prospectus was also sent to head office. Meetings with voters then took place focusing on the content of the Prospectus and will continue throughout, up to and including the ballot day. Contact with every eligible business/voter can be evidenced.

### **Renewing BIDs (E)**

Not applicable, this is a first ballot.

### **Quality Management (D)**

The team includes personnel responsible for establishing the BID in Paddington, which is now entering its 11<sup>th</sup> year, having already been renewed twice. British BIDs accreditation will be sought in the early phases of the BID term once the BID is live and services are in operation. This covers management arrangements, performance measures, data management, engagement, governance and financial controls.

### **Economic Impact (E)**

Economic benefits are set out for all sectors in a summary benefits table within the full BID Proposal. Measures to chart impact and benefit will include retail health checks, hotel occupancy rates, footfall information (including dwell times, peak times and locations) and vacancy rates.

### **Governance (E and D)**

The BID Proposal describes governance arrangements and who the BID company's members will be. A Board representative of all sectors will work with wider sub groups or committees. The Chairman of the BID Company and Board will be from a local business.

Residential and local authority interests will be able to be involved with observer status.

The BID Proposer is already a business led and managed organisation and set up as a not for profit company. It comprises mainly local business representatives and is a company limited by guarantee. Directors are listed at Companies House. Board members will be shown on the BID's website.

### **Transparency (E)**

BID Company accounts will be prepared on an annual basis and presented at the BID Company AGM, to which all members will be invited. BID accounts will be published on the BID's website, along with its annual billing leaflet which accompanies BID levy bills.

### **Engagement (E)**

The BID has ensured that every liable business has been contacted on several occasions prior to the ballot commencing. Contact details for each business, both locally and at head office where appropriate, will form the basis of ongoing engagement throughout the term.

### **Communications (E and D)**

The BID aims to engage with its business members throughout, via projects and more general updates by email, web, social media, meetings, networking events and printed annual reports. Sector approaches will be employed to ensure messages are tailored to different sections of the business community. Ballot related contact will be repeated at head office level.

### **Agreements (E)**

An Operating Agreement and Baseline Agreement are in place with City of Westminster.

### **BID Proposal (E)**

A draft BID Proposal was submitted to City of Westminster in October 2015 for internal circulation and consideration, followed by a final submission in December. A Cabinet Member Report was signed off supporting the Marble Arch BID Proposal on 18 December.

### **Monitoring Performance (E and D)**

The BID Proposal includes a section on performance measurement, which will include retail health checks, footfall, vacancy rates, visitor and visitor perception surveys, to be commissioned independently. A mid-term review will be undertaken and made available to all BID levy payers.

### **Variation (E and D)**

The BID levy rules contained within the BID Proposal set out what can and cannot be varied over the life of the BID. Budgets will be agreed annually by the BID Board, in consultation with its committees or sub-groups, and within the BID's key themes and budgets. The BID's budget allows for new projects to be pursued within the main themes, in response to local business priorities.

### **Ballot (E and D)**

The BID Proposal and website both detail the ballot dates and ballot arrangements. All correspondence with, and documents sent to, businesses in the run up to the ballot have notified businesses of the key dates for Notice of Ballot (11 January), Commencement of Ballot (25 January) and Ballot Day (25 February). This included the pre-ballot canvass of properties carried out by City of Westminster early in December 2015. Local contacts and head office representatives have both received information about the ballot details and the BID Proposal.

### **Notifications (E)**

A formal Notice to the Secretary of State was sent on 9 September 2015. BID Reference BID027-Marble Arch was assigned to the Marble Arch BID Proposal. The formal Notice of Ballot was also sent by City of Westminster to the Secretary of State on 11 January, bearing the same BID reference.

### **Registration (D)**

Due notice has been provided to the Secretary of State and British BIDs of the formal ballot dates.

### **Contact Details (E)**

Full contact details for the team, plus a generic email address ([getinvolved@marble-arch.london](mailto:getinvolved@marble-arch.london)) have been included on surveys, the Prospectus and within the BID Proposal. There are also hyperlinks on the website to both team members. The registered address of Marble Arch Partnership has been included on all collateral.

### **Website (E)**

The BID Proposal, a video summarising the vision and benefits of the BID and the ballot arrangements have featured on the BID's website since the end of December 2015. Prior to that, the survey and Prospectus for consultation were both on the BID's website. If the BID is successful at ballot the principles of transparency will continue, with details of projects and services, the Board and how to get involved all featuring prominently.

## **FINANCE**

### **Budget (E)**

The BID Proposal includes a detailed budget for each of the five years of the BID, by theme heading. A 95% BID levy collection rate is assumed. An annual amount is allowed for contingency each year. Annual carry forward is clearly shown in the BID Proposal, building reserves over the term of the BID.

### **Additional Funding (D)**

We have secured voluntary contributions from property owners, shown in the BID Proposal, and will actively seek external funding opportunities once the BID is operational. These currently sit at 14% of BID levy income. The industry standard recommends 15% by the end of the BID's five year term.

### **Operating Costs (E and D)**

Management and operational costs are shown separately in the BID budget, titled 'BID Running and Statutory Costs'. This includes audit, insurance, levy collection and core staffing not assigned to projects. These costs represent 16% of expenditure, which is below the industry top limit of 20%. The collection costs for the first year will be £11,240, the lowest in Westminster to date.

### **Levy Calculation (E)**

The BID levy will be charged at 1.25% of rateable value for all uses (based on current rateable values), with the exception of charities and educational uses, where a 90% discount will be applied. A threshold of £70,000 will operate, the second lowest in Westminster. Small businesses with rateable values below the £70,000 threshold that wish to be part of the BID can join for a flat fee of £500 per year. The levy is capped at £25,000 per hereditament and ratepayer. Inflation will be applied, with a growth rate of 3% applied, but with the Board being able to set a lower rate by discretion.

### **Contingencies (D)**

The BID budget contains a contingency of 3% over the lifetime of the BID. This is slightly below the industry recommendation of 5%. We anticipate levy income to grow in the first year as several new properties are as yet unrated, which will come into rating and be liable for the BID levy in the first year. We are already in touch with these businesses.

### **Reserves (D)**

Annual carry forward is shown in the BID Proposal, building reserves over the term of the BID. An

allowance for renewal costs is made in the final year of the BID's first term. Voluntary contributions from property owners will be used to wind down operations if the BID is unsuccessful at renewal ballot.

### Levy Charging (E)

The levy will be a daily charge, with refunds applicable if businesses cease to be liable for the levy. Collection charges represent 2.5% of anticipated annual income, below the industry maximum of 3%. In respect of hereditament revaluations mid-year, a closed year rule will apply, with refunds only applicable within that billing year. For the national revaluation, the BID Board will consider the scale of change when this is known and has the option to reduce the inflationary rate if there are exceptionally high increases.

### Refunds (D)

The levy will be a daily charge, with refunds applicable if businesses cease to be liable for the levy. In respect of hereditament revaluations mid-year, a closed year rule will apply, with refunds only applicable within that billing year.

### Additional Income (E)

The BID budget shown in the BID Proposal shows projected levy income plus committed voluntary contributions from property owners.

### Concessions (E)

Charities and educational uses will receive a 90% discount as set out in the levy rules. Empty listed buildings will be exempt from the BID levy. There are no shopping centres, leisure or office centres where a service charge is in place that would duplicate the BID's activities.

## DELIVERY

### Services (E)

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### Additionality (E)

The BID Proposal has been drawn up in close

association with Westminster City Council and Transport for London (TfL is the highway authority for Edgware Road), underpinned by baseline agreements. The activities contained in the BID Proposal build on current public sector service provision and are additional.

### Environment and Community (E)

The BID's themes each benefit the wider environment, increasing reporting of environmental conditions, enhancing pedestrian movement and safety, reducing anti-social behaviour, animating public spaces. The BID has taken the rare step of embracing four schools as BID members, as they face the very same issues as businesses in the Marble Arch area. The schools have participated in consultation and been able to shape the BID's priorities. Likewise local resident groups and Amenity Societies have been involved throughout to ensure priorities are shared.

### Public Sector (E)

City of Westminster and Transport for London have been engaged throughout the Partnership's existence, via a Strategic Group, and support the BID's objectives and projects. They will have observer status on the BID Board, as they currently have with the partnership. No services are being transferred to the BID from the public sector.

### Retail Crime Partnership (D)

Tackling crime and anti-social behaviour is a key element of the BID, which will provide a uniformed presence, a welcome in the daytime and a tool to manage anti-social behaviour at night. Close co-ordination and collaboration with City of Westminster and the Metropolitan Police will be key to this theme being effective, likewise with neighbouring BIDs, to prevent displacement and to share intelligence. There is no existing retail crime partnership in operation in the proposed BID area, which is the boundary of several policing and neighbourhood operational zones. The BID will work to create a co-ordinated approach to tackling anti-social behaviour.

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