

BOARD MEETING

29 MAY 2020 (virtual meeting)

MEETING NOTES



	Action
<p>1. Welcome, introductions, Apologies and Declarations of Interest</p> <p>NCo welcomed all Directors and guests to the inaugural meeting of the Crawley Town Centre BID Board.</p> <p>Attendees: Nicki Cheek (NCh), Neil Cooper (NCo), Duncan Crow (DC), Simon Cuckow (SC), Doug Howell (DH), Luke Longley (LL), Peter Rainier (PR), Peter Smith (PS), Matthew Tyson (MT)</p> <p>Guests: Paul Clement (PC), Chris Barnard (CB), Lynn Hainge (LH)</p> <p>Apologies received from Steve Sawyer.</p> <p>The following Declarations of Interest were noted and accepted as standard for all future meetings:</p> <ul style="list-style-type: none">• Peter Smith - Director of the Manor Royal BID• Matt Tyson - Executive Member of Gatwick Diamond Business; Richard Place Dobson (MT's employer) are auditors for the Manor Royal BID.	
<p>2. Appointment of Chairperson</p> <p>NCo put himself forward as a nominee for Chairman of the TC BID Board. There were no other nominations. PS formally proposed NCo as Chairman; seconded by DH.</p> <p>NCo was formally and unanimously elected as Chairman of the TC BID Board.</p> <p>It was agreed that a Vice Chair would be elected at the next Board meeting.</p>	LH/ALL
<p>3. General update from the Chair including main agenda items</p> <p>NCo confirmed that the Crawley Town Centre BID became effective on 1 April 2020 however it was subject to a legal challenge. Despite the papers being submitted to the Secretary of State in January 2020 and several subsequent follow-ups, no decision has yet been taken by MHCLG. NCo has written to Henry Smith MP, asking for his assistance in getting a decision made soon as, without a decision, the BID remains 'in limbo' and held back from progressing.</p> <p>In addition to the legal challenge, on 23 March 2020 the UK went into 'lockdown' as a result of the Coronavirus (Covid-19) pandemic and this created additional problems. As a consequence of both, the BID levy charges that would have gone out on 1 April, did not and the BID currently has no income and no decision on the challenge.</p> <p>NCo reported that there have been recent discussions with Crawley Borough Council (CBC) with regard to progressing the levy bills and, understandably, there is a wider aspect to seeking levy payments in the current climate whereby many businesses are seeking financial support to continue operating. That said, there is a need to consider</p>	

the legal position of the BID Company to pursue the levy collection and NCo had asked Savills for guidance in this respect.

Discussions included the possibility of deferring the levy charging by 6 months (i.e. from 1 April to 1 October 2020) and CBC would be asked to send the bills out on the basis that the charge would be for six months of 2020/21. This would mean a reduced budget for the BID however NCo confirmed that no decisions have been taken; it requiring the Board's decision.

PS stated that CBC will issue the levy bills if the BID Board instructs it to do so, but asked the Board to carefully consider the timing of those bills.

PC confirmed that he has asked his Chief Executive to request an expedited response from MHCLG with regard to the challenge. PC referred to the BID Regulations that state should a BID ballot result be challenged, the BID and the Local Authority must nevertheless act as they would have done without a challenge, until either the challenge is overturned or a re-ballot is ordered. PC does however understand the broader context within which we are currently operating due to Covid-19.

Under the BID Regulations, the BID Board could decide not to charge for six months but PC's advice is that we should be asking CBC to send the bills out. It is for the BID Board to decide when they go out, and not the Local Authority.

LL asked if the monies were collected but the challenge remained, would it be prudent to make significant expenditure? It was noted that the current climate would limit any spend and delivery against the Business Plan.

MT queried if there is ever going to be a right time to send the bills given that the worst may be yet to come. LL asked what other BIDs are doing in response to Covid-19.

CB highlighted the opportunity for short term funding in the form of the BID Resilience Fund that will be awarded to Local Authorities from early June and which the TC BID is entitled to. NCo also highlighted the Town Centre Partnership reserve fund of c£14k, currently being held by CBC.

It was noted that the Business Plan BID Rules (Accountability and Transparency), includes a clause which allows the Board to alter the Business Plan if it needs to. Specifically '*Provided that the BID is meeting its overall objectives, the Board shall have the **ability to vary service delivery and expenditure allocation according to the changing demands of BID Levy Payers. However, any change to the BID boundary or to the BID Levy proposals, such that they impact negatively upon any BID Levy Payer, would require a formal Alteration Ballot***'.

The Board agreed that the BID already has a lot to offer the town centre in terms of promoting it as a safe place to visit and supporting businesses when they need it most.

PC confirmed that Savills are here to support the BID Company and, on balance, it would seem sensible to defer to the levy charging to 1 October.

The Board agreed the following actions to be taken:

<ol style="list-style-type: none"> 1. Defer by six months from 1 April 2020, the payment of BID levies for six months in 2020/21, and request that Crawley Borough Council despatch the revised levy bills for payment from 1 October 2020. 2. Request that, once it has been received by CBC, the BID Resilience Funding for the Crawley TC BID is transferred to the Town Centre BID Bank Account 3. Seek formal approval from the Town Centre Partnership to transfer its reserve fund to the Town Centre BID Bank Account. 	NCo
<p>NCh asked how this will be communicated to levy payers. A covering letter will go out with the levy bills, together with a revised Levy Leaflet (updated to reflect the new budget). The letter will acknowledge the current situation and reinforce the BID's role in working hard to help businesses at this difficult time. The TC BID website will also be updated.</p>	NCo /CB
<p>CB will bring back a revised budget to the next meeting including details of how it will be used.</p>	CB
<p>SC referred to the findings of a recent survey of County Mall tenants that cited safety and security as a top priority. SC will share the results with the Board.</p>	SC
<p>NCh endorsed this view, stating that safety issues were escalating, particularly around Church Walk and the Broad Walk. It would be great if the BID could provide enhanced security as an immediate action, to showcase what the BID can do by adding value.</p>	
<p>NCo stated that, following the legal challenge but <i>prior</i> to Covid-19, CBC was looking to provide advanced funding of 1 month's levy for the BID Company. NCo asked if this would still be a possibility however PS said this would be highly unlikely, given the Council's latest financial position as a direct result of Covid-19.</p>	
<p>The Board agreed to formally ask CBC to consider advanced funding of £30,000 to the BID Company, but this would be conditional on a favourable outcome of the legal challenge and would be paid back by 1 April 2021.</p>	NCo
<p>BID Manager Recruitment - it was agreed that the Board is not in a position to appoint at this time (due to budget and practicalities around interviews) however it was suggested to put an advert out in July/August to capture potential talent that may be available locally as a consequence of Covid-19. This would include a statement of interest and an indication of salary.</p>	CB/NCo
<p>4. Any Other Business None</p>	
<p>5. Date of the next meeting 9 June 2020 3.00pm. CB to send invitation.</p>	CB