



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet

11th September 2024

Report of the Head of Property and Regeneration Simon Brennan

Matter for Decision

Wards Affected: Port Talbot and Aberavon

Reballot for the Port Talbot Business Improvement District, VIVA Port Talbot

Purpose of the Report:

To seek Members decision to respond to a formal request from VIVA Port Talbot, for the Council to act as Ballot Holder for the forthcoming ballot.

Executive Summary:

A decision is sought as to whether the Council is in agreement to act as Ballot Holder and assist in the administration for a forthcoming ballot, on behalf of VIVA Port Talbot.

Background:

In September 2019, the businesses within Port Talbot, including the Council, voted in favour of a Business Improvement District being established within the town, and VIVA Port Talbot duly became operational in March 2020.

The businesses have to be re-balloted every 5 years, and although VIVA Port Talbot are not required to go out to ballot until March 2025, they have taken the decision to do so early, with ballot papers due to be sent out on the 14th November, with the ballot closing on the 12th December.

The ballot must pass on two criteria:

50% of those who voted must be in favour, and their votes must represent more than 50% of the total rateable value of the properties that voted. There is no minimum turnout required.

At the next ballot, there are expected to be 203 levy payers who will be invited to vote. This includes the Council as we have 11 votes to cast due to the various properties that we own within the BID boundary. A report will be brought to members later this year for approval on the vote that the Council should adopt.

The BID has informed us that the boundary of the BID area has been revised, so that Water Street and Green Park are no longer included, removing Blancos Hotel from the levy. In addition, part of Talbot Road is also no longer included removing the Plaza and the Corner House from the levy. The BID felt that these areas were too far removed from the town centre to benefit from VIVA's activities and events. However, in order to compensate for the lost revenue from these properties, the BID intend to increase the overall levy from 1.25% to 1.5%. Please refer to the plan attached to this report.

VIVA Port Talbot have £approached the Council formally to request that they are allowed to liaise with the Council's Electoral Services in order to ensure that the ballot is delivered in accordance with the constitution of the BID.

The Council has acted in this role of Ballot Holder for all previous BID Ballots in both Neath and Port Talbot.

Financial Impacts:

The cost to the Authority in acting as Ballot Holder will be in the region of £3,000 - £3,500. Although the Council is entitled to charge the BID for this amount, it has always previously waived its right to do so, and absorbed the costs.

Integrated Impact Assessment:

As this report is merely seeking to consent to facilitate a process there is no requirement for an integrated impact assessment..

Valleys Communities Impacts:

None

Workforce Impacts:

There are no workforce implications in relation to the Authority.

Legal Impacts:

The Council as ballot holder will need to comply with Business Improvement District (Wales) Regulations 2005 which will stipulate the process to be followed in administrating the vote.

Risk Management Impacts:

Failure to assist with the ballot as Ballot Holder would jeopardise the BID process, probably not allowing VIVA Port Talbot to fulfil their constitutional obligations to re-ballot the levy paying businesses within the required timeframe.

Consultation:

There has been no requirement for consultation in this matter.

Recommendations:

That Members approve the request from VIVA Port Talbot for the Council to act as Ballot Holder in the forthcoming ballot, at a cost of approximately £3,000 - £3,500.

Reasons for Proposed Decision:

In order to allow VIVA Port Talbot to fulfil their obligation to re-ballot their levy paying businesses.

Implementation of Decision:

The decisions will be implemented after the three day call in period.

Appendices:

Please see revised BID plan attached.

List of Background Papers:

None

Officer Contact:

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