

# CYNGOR GWYNEDD CABINET



## Report for a meeting of Cyngor Gwynedd Cabinet

<b>Date of meeting:</b>	<b>11<sup>th</sup> of November 2025</b>
<b>Cabinet Member:</b>	<b>Councillor R.Medwyn Hughes</b> <b>Cabinet Member for Economy and Community</b>
<b>Contact Officer:</b>	<b>Llŷr B Jones</b>  <b>Assistant Head of Economy and Community</b> <b>Department</b> <b>Esyllt Rhys Jones</b> <b>Regeneration Programmes Manager</b>
<b>Contact Telephone Number:</b>	<a href="mailto:LlyrBJones@gwynedd.llyw.cymru">LlyrBJones@gwynedd.llyw.cymru</a> <b>01286 679219 (ext.32219)</b>  <a href="mailto:EsylltRhysJones@gwynedd.llyw.cymru">EsylltRhysJones@gwynedd.llyw.cymru</a> <b>01286 679513 (ext 32513)</b>
<b>Title of Item:</b>	<b>Holding a Caernarfon Business Improvement Districts Ballot</b>

## **1 THE DECISION SOUGHT**

1. To note that the Business Improvement District (BID) Proposal and supplementary documents from the HWB Caernarfon Company have been received by the Council and that they comply with the Regulations;
2. That the Cabinet instructs the Returning Officer to hold the Caernarfon BID ballot;
3. To approve the arrangements and financial implications noted in Part 3 of the report;
4. To delegate the right to the Cabinet Member for Economy to vote on behalf of the Authority in the BID ballot.
5. If the ballot is successful in Caernarfon, and in accordance with the Business Improvement District (Wales) Regulations 2005, to delegate the right to the Head of Economy and Community, in consultation with the heads of the following departments to approve the final version of the Operational Agreement and the Baseline Agreement and complete the Agreements in accordance with the Council's arrangements:
  - Environment;
  - Highways, Engineering and YGC;
  - Legal;
  - Finance.

## **2 THE REASON FOR THE NEED FOR A DECISION**

- 2.1 It is noted in the Business Improvement District (Wales) Regulations 2005 that there is a need for local authorities to authorise the process of holding the Business Improvement District ballot. In accordance with the Council's constitution, the Cabinet is responsible for authorising this.
- 2.2 Local authorities have the veto right if it considers that BID proposals would likely conflict significantly with existing policy, would place a financial burden on taxpayers or that the levy was too high. However, the intention to hold a ballot is supported because:
  - The HWB Caernarfon proposal responds to challenges which have been identified by the business community.
  - In holding a ballot, the business community receives the opportunity to support the establishment of the HWB Caernarfon in order to give them the ability to realise the objectives which have been noted within the business plans.
  - The proposed HWB Caernarfon could attract additional investment and maximise the profile of Caernarfon
  - HWB Caernarfon would be a medium to collaborate with the Council and provide additional services.

There is no reason to implement the statutory veto.

### **3. INTRODUCTION**

- 3.1. Following a successful ballot back in 2015 , the Caernarfon Business Improvement District was established in April 2016 and the HWB Caernarfon company was established to implement the BID. In accordance with The Business Improvement Districts (Wales) Regulations 2005 a BID only operates for a period of 5 years. It was required to follow a ballot process back in 2021 for the second term of the HWB Caernarfon. The second term will end in March 2026, so it is again necessary to follow the same procedure for another term.
- 3.2 In order to hold a ballot for a further period, the HWB Caernarfon company is required, in accordance with the Business Improvement District (Wales) Regulations 2005 to issue a notice on the Billing Authority so that the ballot can be held. In accordance with the Regulations, the Council is the Billing Authority.
- 3.3 HWB Caernarfon has served a notice to the Council for the renewal of the BID. HWB Caernarfon Company has issued the notice to the Council and the proposals received have been reviewed. It does not appear that the notice conflicts with any Council policy. With the Cabinet's approval, the next step will be for the Council to instruct the Returning Officer to hold the ballot.
- 3.4 As part of the process, the HWB Caernarfon Company has been consulting with the directors as well as the businesses paying the levy for their proposals for 2026-2031. The HWB Caernarfon Proposal and appendices have been included in the supporting documents.
- 3.5 It is anticipated that the details and arrangements of the proposed BID will offer a levy of 1.5% against non-domestic rateable list, exclude properties with a taxable value of less than £2,000. It is anticipated that the BID would raise up to £102,000 per annum (namely £510,000 over 5 years) in Caernarfon.

### 3.6 Timetable

The legal requirements associated with holding the vote are included in the timetable below:

Action	Requirement within the Regulations	Date*
Cabinet Decision		11.11.25
Returning Officer to call the ballot	42 days before the ballot	6.1.26
Publish ballot papers	Last day: 28 days before the day of the ballot	20.1.26
Last day to vote		19.2.26
Counting the vote	As soon as practicably possible after the day of the ballot	20.2.26
Result announced		20.2.26
Starting date of the BID		01.04.26

\* this is an outline idea of the timetable.

- 3.7 If the ballot is successful, HWB Caernarfon Company and the BID will remain operational until 31 March 2031. If the ballot is unsuccessful, the HWB Caernarfon Company and the BID will wind up on 31 March 2026.

### Formal Agreements

- 3.8 In accordance with the Regulations, a series of agreements have been made between the Council and the HWB Caernarfon Company. These agreements must be in place following a vote in favour. The draft agreements have been included in the supporting documents.

*Baseline Agreement:* this agreement defines the level of service being implemented by the Council within the BID area. In line with the agreement, the Council will be required to inform the BID Company of any change to this service during its term. The purpose of this agreement is to ease the minds of the businesses within the area, that do not pay the levy for the services that already exist. This agreement is currently being reviewed to ensure that the current version reflects the Council's current services within the boundaries of the BID. A draft of the agreement will be negotiated with the HWB Caernarfon Company. Subject to a 'Yes' result, the agreement will be agreed and formalised.

*Operational Agreement:* this is a document that is an agreement between the HWB Caernarfon Company and the Council which outlines and sets out the administrative arrangements, collecting the levy and the enforcement details in the context of the BID levy. The Council has the legal right to establish financial arrangements and to invoice and collect the levy in Gwynedd. It is required under the Regulations that the BID Revenue Account has been established. This arrangement will be wound up unless a successful vote is achieved and then the Caernarfon HWB Company and the Council will be expected to agree on a new Operational Agreement from 1 April 2026 onwards. If the vote goes against the BID, the Council and the HWB Caernarfon Company will need to negotiate the final terms. In such a situation, there is a financial risk associated with unpaid levies, which is the responsibility of the BID and not the Council.

### The Implications of Caernarfon BID to Cyngor Gwynedd

- 3.9. It is anticipated that the following implications will arise for the Council as the relevant local authority:

*Financial Implications* – The work to date has identified that 20 hereditaments within the boundary of Caernarfon BID are owned by Cyngor Gwynedd. This number is subject to change over the course of the BID term. As a business that pays business rates, a cost is associated with a successful ballot. Based on 2023 Non-Domestic Rateable List, the table below outlines what the annual cost would be to Cyngor Gwynedd over the next term of the Caernarfon BID if the vote was in favour. This levy would be a fixed amount over the BID term.

<b>Hereditament</b>	<b>Rateable Value</b>	<b>Annual Cost of Levy</b>
Baclava Car Park Public Toilets	£3,000	£25.56
Library	£5,5000	£468.60
5 Castle Street (Cwmni Gyrfaedd )	£19,000	£161.88
5 Castle Street	£36,500	£310.98
County Offices	£300,000	£2,556.00
Car Park Glan y Mor Uchaf (A047)	£16,250	£138.45
Car Park (A048)	£4,450	£37.91
Crown Buildings	£169,000	£1,439.88
Part 2 <sup>nd</sup> Flr, Swyddfa Arfon	£16,250	£138.45
Cwmni Cynnal, Part2 <sup>nd</sup> Flr	£38,750	£330.15
Wisdom, First Floor Swyddfa Arfon	£9,700	£82.64
Gwe 1 <sup>st</sup> Floor Swyddfa Arfon	£14,500	£123.54

Swyddfa Arfon Penrallt	£155,000	£1,320.60
Car Park Eglwys Crist (A045)	£57,000	£485.64
Car Park Penllyn	£35,500	£302.46
Cyngor Gwynedd Stryd y Jel	£94,000	£800.88
Old School	£9,500	£80.94
Car Park Multi Storey	£33,250	£283.29
Dock	£21,500	£183.18
County Archives	£40,250	£342.93
<b>Total</b>	<b>£1,128,400</b>	<b>£9,613.97</b>

*Process of Holding the Ballot* – Subject to Cabinet approval, Cyngor Gwynedd in accordance with the regulations, will instruct the Returning Officer (appointed under Section 35 of the People's Representation Act) to hold a ballot amongst the business community within the designated area to test support for a BID in Caernarfon.

*Council Vote* - subject to the approval of the Cabinet, in accordance with the arrangements in 2015 and 2021, the Cabinet Member for the Economy will decide how the Council will vote and how many votes will be cast.

*Legal contracts* - the proposed agreements described above will be completed and they will be a basis to the collaboration arrangements between both organisations.

*Long-term Support* - If the ballot is successful, Cyngor Gwynedd will support HWB Caernarfon during the third term, supporting and involving itself to the work of further renewing and developing the economy of Caernarfon.

#### Impact on the Policy Framework and Procurement

There are no implications to the policy framework or procurement rules.

#### Equality Matters

The content of this report does not have any direct equality implications.

#### Issues relating to the Well-being of Future Generations Act (Wales) (2015)

The Well-being of Future Generations Act (Wales) 2015 identifies seven well-being goals. It sets an ambition, permission and legal obligation to improve our social, cultural, environmental and economic well-being. This report and the work associated with the BID responds to these Well-being Goals:

- A Prosperous Wales - In Gwynedd, the retail and business sector in our

town centres make a substantial contribution towards the county's economy and offers a cross-section of employment opportunities. Caernarfon Town Centre makes a substantial contribution towards the Gwynedd economy;

- A Healthier Wales - visiting our town centres, with a range of services, attractions and open spaces contributes towards the health and welfare of individuals;
- A more equal Wales - town centres are places that offer a variety of opportunities and provisions for a broad cross-section of the population, regardless of the background or circumstances of the individuals;
- A Wales of cohesive communities - vibrant and prosperous town centres would offer a range of services, entertainment, shops and services in a pleasant and safe environment. This is crucial for the future of communities;
- A Wales of vibrant culture and thriving Welsh language - town centres contribute towards protecting our culture through its people, attractions and services, along with the work of promoting the Welsh language.
- A globally responsible Wales - supporting the town centres, the businesses and local producers support the carbon reduction agenda. The use of public transport within town centres is key.
- A Resilient Wales - town centres are key when establishing structures and opportunities that can face and respond to future economic and community challenges.

#### **4. THE RATIONALE AND JUSTIFICATION FOR RECOMMENDING THE DECISION**

4.1 In accordance with the Business Improvement Districts (Wales) Regulations 2005 the Caernarfon Business Improvement District has submitted an application to Cyngor Gwynedd, as the Billing Authority, to hold a ballot.

4.2 The Economy and Community Department recognises that the principle of having a Business Improvement District within a town or city offers a way to attract investment to regenerate. The model is a vehicle for regeneration where there is no assurance of any alternative source of funding. The ballot offers businesses the opportunity to vote for the continuation of the BID in Caernarfon, or not.

#### **5 NEXT STEPS AND TIMETABLE**

5.1 Subject to Cabinet approval, the ballot is scheduled to be announced by 6<sup>th</sup> of January. Once the notice has been submitted, this will allow the ballot papers to be issued along with details of the proposed proposals (with explanatory notes) during January 2026.

5.2 In accordance with the above timetable, the closing date of a postal vote would be 19<sup>th</sup> of February 2026, with the results announced on 20<sup>th</sup> of

February 2026.

5.3 Should there be a vote in favour of a BID the decision will come into effect from 1 April 2026.

## **6 ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION**

### Observations of the Head of Finance:

The Taxation Service has worked with HWB Caernarfon over the first two periods of the scheme in collecting the levy on behalf of the company, ensuring that it is transferred appropriately to the company and taking appropriate steps to recover outstanding amounts. If the result of the ballot, therefore, is that the Business Improvement District should continue, the administrative arrangements are already in place and familiar to us. The levy is billed separately from the Non-Domestic Rates, and it should be noted that the Council does not transfer any money to the company until it has been collected by the Taxation Service and properly invoiced by the company.

I have worked with the author of the report, and I am satisfied with the accuracy of the levy figures which appear in the "Implications of the Caernarfon BID for Cyngor Gwynedd " section of the report."

### Observations of the Monitoring Officer

This report has received input from Legal Services. I am satisfied with the propriety of the report and can provide further guidance at the meeting if necessary.

### Supporting Documents

- Bangor BID Proposal
- Draft Baseline Agreement
- Draft Operational Agreement