

# Winchester Business Improvement District (BID)

## Levy Rules 2023 – 2028

The following rules must be read in conjunction with the Business Improvement Districts (England) Regulations 2004 (as amended) and Part 4 of the Local Government Act 2003. Where the rules conflict with the Regulations, the Regulations prevail.

### **1. Hereditaments Subject to the BID Levy:**

1.1 A Non-Domestic ratepayer will be subject to an annual BID Levy in respect of a hereditament if, on the 1<sup>st</sup> April in the year of the collection of the levy, the hereditament:

1.1.1 is in the defined Winchester City Centre BID area; and

1.1.2 is in the Rating List on that day for the Winchester Billing Authority.

### **2. The BID Levy:**

2.1 The annual BID Levy will be calculated as  $RV \times \text{BID Multiplier}$  where:

2.1.1 the RV is the current RV of the hereditament on 1<sup>st</sup> April in the year of the collection of the levy

2.1.2 the BID Multiplier is either:

2.1.2.1 Nil where the hereditament is occupied by a Charity and is in receipt of Mandatory Rate relief (as prescribed by section 43 and 45 of the Local Government Finance Act 1988 (LGFA 88)) except where the property is used as a Charity Shop (see paragraph 2.1.2.2 below); or has a Rateable Value ("RV") which is less than £1,250.

2.1.2.2 1.25% of the RV on Managed Shopping Centres. These are defined as hereditaments included in The Brooks Shopping Centre. Any new developments will be charged in line with the BID multiplier stipulated at paragraph 2.1.2.3; or

2.1.2.3 1.5% of the RV on all other hereditaments except those listed above.

2.2 The calculation of the BID Levy cannot be altered in such a way that causes any person to be liable to pay the levy who was not previously liable to pay; or increase the Levy for any person, without an Alteration Ballot. Any other material change from the arrangements set out in the Proposal Document will be possible without an alteration ballot, subject to consultation with Winchester City Council.

### **3. Persons / Organisations Liable for the BID Levy**

3.1 Liability for the BID Levy will be the responsibility of the ratepayer of the hereditament on 1<sup>st</sup> April in the year of the collection of the levy.

3.2 If a hereditament is empty, the liability for the BID Levy will fall on the owner as at 1st April in the year of the collection of the levy. For this purpose the owner is the person entitled to possession under section 65(1) of the LGFA 88.

3.3. The BID levy will be payable in advance upon service of a Demand Notice.

#### **4. BID Levy Allowances:**

4.1. The levy will be payable on all unoccupied property regardless of whether it is in receipt of an exemption or relief from Non-Domestic Rates in accordance with paragraph 2.1.

#### **4.2 'Unoccupied' in relation to hereditaments shall have the same meaning as section 45 LGFA 88.**

4.3. There will be no allowances applicable to the BID levy regardless of those allowances awarded against a ratepayer's Non-Domestic Rates, for example, reliefs such as Discretionary, Hardship, Section 44a (Partly Occupied), Small Business Rate, Charitable, Community Amateur Sports Club Association (CASC), Rural or Transition, and all others in relation to Non-Domestic Rates.

#### **5. Collection of the BID Levy:**

5.1 The BID levy is payable in one instalment within 14 days of the issue of the Demand Notice. This instalment date will be specified on the Demand Notice. The notice will be served as soon as practicable after the Council becomes aware of a BID levy liability. The Council may serve a Demand Notice before the commencement date of the BID in accordance with paragraph 5(2) of Schedule 4 of the Business Improvement Districts (England) Regulations 2004.

5.2 The levy is an annual sum and will not be apportioned during the year when a ratepayer vacates or occupies a property.

5.3 If a new property comes in to the Rating List mid-year no charge will apply until the following year's levy becomes due.

5.4 If a property undergoes a split or merger in the Rating List mid-year the levy will not be amended to reflect the change until the following year.

5.5 If a property's Rateable Value is decreased/increased mid-year the levy will not be amended to reflect the change until the following year.

5.6 If any of the changes referred to in paragraph 5.2, 5.3 and 5.4 occur and the effective date of the change is prior to 1<sup>st</sup> April then it will not take effect until the 1<sup>st</sup> of April following the receipt of the Valuation Office's Schedule of Alterations for those hereditaments. For example: On 1<sup>st</sup> April 2023 a hereditament has an RV of £15,000. The levy for 2023/24 will be based on 1.5% of the £15,000. However, if the VOA issues an alteration on that RV on 1<sup>st</sup> June 2023 amending the RV to £10,000 but with effect from 1<sup>st</sup> April 2023, the levy for 2023/24 will not be altered. However, the levy for 2024/25 will be based on the revised RV of £10,000.