

	REPORT TO CABINET TO BE HELD ON 11 APRIL 2017
	Key Decision YES Forward Plan Ref No 10
Corporate Priority: ALL	Cabinet Portfolio Holder Cllr Andrew Jenkinson

REPORT OF: Director (TW) – 17/080

WARDS AFFECTED: All

**SUBJECT: Yorkshire Coast Destination Business
Improvement District**

RECOMMENDATION (S):

Cabinet is recommended to support the request from the Welcome to Yorkshire Coast Tourism Advisory Board and :

- a) a contribution of £15,000 towards the establishment of a Destination Business Improvement District for the Yorkshire Coast to be funded from tourism operational reserves;
- b) Subject to recommendation c) To delegate authority to the Director with management responsibility for tourism in consultation with the Portfolio holder for Tourism and Culture to agree the terms upon which the Council will be the accountable body for the scheme and make arrangement to carry out the ballot;
- c) Note that a further report will be brought back to Cabinet for approval in due course should the DBID body seek to be incorporated as a private limited company

REASON FOR RECOMMENDATION (S):

The establishment of a Destination Business Improvement District (DBID) will provide a sustainable model from which to promote and develop a high quality visitor economy offer on the Yorkshire Coast.

The establishment of a DBID, if developed along similar lines to those in other areas will provide support to the development of tourism events, promotion and small scale place making projects, thus reducing the pressures on Local Authorities to fund all new initiatives.

Many other resorts are implementing or have implemented DBID schemes. There are now in excess of 240 established across the UK, a number of which have been formed along England's coastline. The establishment of DBID's has come about as a result of diminishing public sector resources and the drive from private sector businesses to shape the industry.

HIGHLIGHTED RISKS:

If the Council does not progress towards the establishment of a DBID for the area there will be fewer resources available to market the Yorkshire Coast as a key tourism destination and to support the development of events and festivals. As competition from other English resorts grows this will have an impact on the area and may result in diminished jobs and economic growth locally.

If the Council chooses not to financially assist the DBID process it is unlikely that the initiative would be able to move to the next proposition stage. This in turn would limit the resources available to promote and develop a high quality visitor economy offer on the Yorkshire Coast in support of the wider local economy.

Ultimately, less resources to market the Yorkshire Coast as a destination will lead to reduced visitor numbers as competition from other English resorts grows and as a consequence impact on jobs and economic growth locally will diminish.

Even if the Council agrees to fund the DBID, the proposal when prepared by the DBID Task Group may fail to win support from the majority of businesses along the Yorkshire Coast, who would be required to vote in favour to achieve a "yes" vote. A no vote would clearly result in the loss of the Borough Council's investment financially and in officer time.

The requirement to provide baseline services over the 5-year duration of the DBID business plan will be a challenge in times of austerity. However this would formulate the base from which the DBID can start to develop a programme of investment moving forward.

Finally, the business rate review, which will be implemented on 1 April 2017, has seen increases for many businesses, meaning the timing of soliciting support of local businesses to engage with the DBID process may have been jeopardised.

1. INTRODUCTION

- 1.1 The Welcome to Yorkshire Coast Tourism Advisory Board (WTYCTAB) has been looking into the possibility of setting up a Destination Business Improvement District (DBID) covering the Yorkshire Coast. In the summer of 2015 they commissioned the Mosaic Partnership to undertake a feasibility

study into the establishment of a Yorkshire Coast DBID, with the feasibility study findings being presented in December 2015 after consultation with a number of local businesses and partners, including the Council.

- 1.2 The study concluded that there was scope for moving to the next stage of the process of setting up a DBID for the Yorkshire Coast and that there was potential to raise around £7 million from 1,852 public and private sector levy payers on the Yorkshire Coast stretching from Redcar in the north to Spurn Head in the south, over the 5-year life cycle of the DBID. This was based on the premise that the levy was set at 1.5% and only rateable units, primarily businesses over £10,000 rateable value, would be expected to pay the levy.
- 1.3 The process for establishing a DBID has basically three stages :
- (1) The feasibility study;
 - (2) DBID proposition;
 - (3) Management and delivery.

Having conducted the feasibility study the WTYCTAB are looking to move forward to the next proposition stage but to achieve this they need to raise over £100,000 broken down as follows :

(a) Staffing – Project Director (Full-time) and Administrator (Part-time)	£50,000
(b) Office/Administration – IT, Stationery, Postage and Copying	£10,500
(c) Marketing & Communications – Market Research, Consultation, Promotional Material, Public Relations and Business Planning	£18,500
(d) Legal & Financial – Ballot Costs	£6,500
(e) Consultancy Support – Specialist Advice, Template Documents and Negotiations	£20,000.
Grand Total	£105,500

- 1.4 To date, meetings have been held with the Council, North Yorkshire County Council, East Riding of Yorkshire Council, Redcar and Cleveland Borough Council, North York Moors National Park and the York, North Yorkshire and East Riding Enterprise Partnership with pledges of £55,000. An approach has been made to the Tees Valley combined Authority to match that of Redcar and Cleveland Borough Council of £10,000 and preliminary discussions look very positive. This report is seeking to approve a cash contribution, together with covering the ballot costs, estimated at £6,500 towards the DBID's initial costs.
- 1.5 Discussions have also been held with the private sector, including leading retailers in Scarborough town, as well as communication with key local

businesses to provide cash and “in kind” support. Banks, accountants, solicitors, supermarkets, transport undertakings and holiday parks have also been targeted to seek their help and it is clear that in the top ten levy payers Sainsburys, Morrisons, Tesco and Co-op supermarkets would be major players.

Adverset Media Solutions have offered to meet all design and print costs, which represents a significant contribution towards the £18,500 total referred to above under the Marketing and Communications heading. Marks and Spencer had indicated they could provide office space but the Head Office has recently decided it is not feasible however the Scarborough Hospitality Association has offered space within their offices on Aurborough Street.

- 1.6 Other “in kind” support, as well as cash contributions approaching £10,000, have been received from private sector partners, including legal advice, business, and financial planning. But it must be stressed that these contributions will not match pound for pound those from the public sector.
- 1.7 In fact, it is worth pointing out that elsewhere in the country where DBIDs have been successfully created the majority of the set-up funding has been provided solely by public sector authorities and agencies.
- 1.8 If Cabinet agrees the cash contribution and the request to manage the ballot, the Advisory Board will have secured sufficient funds to move forward to the proposition stage, and will appoint consultants and a Project Director. Following this an extensive consultation exercise will be carried out with local businesses and organisations. It is imperative that the DBID process undertakes widespread consultation with local businesses and other stakeholders to ensure views and opinions are considered on what they would like to see included in the manifesto document and subsequently delivered by the Yorkshire Coast DBID over the 5-year period.
- 1.9 This will hopefully guarantee a winning formula that achieves a business-led approach to destination marketing and product development that will see resources are available at least for the next five years to tackle the key issues identified by local levy payers.
- 1.10 In addition, a Task Group comprising public and private sector partners will be formed to help guide the DBID proposition process and report back to the WTYCTAB. It should be mentioned that the Council will be invited to take a place on the Task Group.

2. CORPORATE OBJECTIVES AND THE COMMUNITY PLAN

- 2.1 The establishment of a Yorkshire Coast DBID will support the Council’s key Corporate Plan aims relating to:

Prosperity; Inclusive and vibrant communities and
Creating and maintaining quality environments.

2.2 The DBID's business plan will endeavour to achieve this through the delivery of a number of themes, which are likely to include marketing and promotion; staging festivals and events; carrying out small infrastructure projects; and business support, including skills training. This in turn will:

Build a strong and diverse economy;

Support sustainable tourism;

Increase participation in arts and culture, sports and leisure history and heritage; and tourism and hospitality.

Enhance local pride, community cohesion and inward investment.

3. BACKGROUND AND ISSUES

3.1 Business Improvement Districts (BIDs) were first piloted in England through a national project in 2003, after which regulations were passed in 2004 permitting their wider establishment. BIDs are governed by the Business Improvement District (England) Regulations 2004 and the regulatory amendments made in 2013, 2014 and 2015. Since the initial launch of the BID regulations approximately 240 BIDs have been formed in the UK almost all entirely focussing on town and city centre retail and industrial areas.

3.2 A DBID is broadly similar to a BID but it is designed to directly and specifically support the marketing and development within a destination rather than a cluster of businesses that share a common trading environment. DBIDs are a relatively new concept and so far in England there are only a handful that have been created in Great Yarmouth; Bournemouth; Dartmoor; Torbay; and the Isle of Wight, with the Lincolnshire Coast having just gone to ballot.

3.3 The WTYCTAB has asked the Council if they would be prepared to be the accountable body for the DBID initiative, together with making a cash grant of £15k and to cover the ballot costs, estimated at £6,500. Cabinet Members should be aware that the Council needs to consider the proposal in line with certain statutory responsibilities it has that are set out in the BID (England) Regulations 2004 and the subsequent amendments. These are categorised in the BID Technical Guide for Local Authorities (Appendix A) as follows:

- Being familiar with the BID regulations
- Rating List Holder for the provision of Rating List data
- Service Provider for provision of statement of existing baseline services;
- Collection of the DBID Levy
- Ballot Holder for provision of Ballot Service
- Notification of Ballot Outcome
- Declaring a Ballot Void
- Termination Procedures

- 3.4 The Local Authority is the Accountable Body for the following elements of the process in line with the BID regulations for 2004 for England and Wales:

Baseline Statements

The provision of Baseline Statements for statutory (and where relevant) discretionary service areas such as cleansing and maintenance, car parking, public conveniences etc.

Collection

The Local Authority is responsible for the collection of the BID levy in the event of a successful ballot. The details in relation to this are normally agreed with the BID organisation via an 'Operating Agreement' which also provides for the Council to make a charge for this service.

Ballot

The Local Authority and its Returning Officer (or its appointed agent) is required to carry out the ballot in accordance with the BID regulations. The Council may either appoint an agent, such as Electoral Reform Services to carry this out on their behalf, or, if resources allow, undertake the ballot themselves.

- 3.5 In the case of the Yorkshire Coast bid, if it encompasses a number of Local Authority areas then a 'lead' authority can be nominated who would have overall control of the Collection and the Ballot process.
- 3.6 Regulation 12 requires the Council to be satisfied that the BID proposal does not conflict with any existing formal Council policies nor propose a disproportionate burden on particular businesses by way of an unfair levy charge on a certain "class" of levy payers. At this moment in time the DBID has not yet embarked on producing the proposal, which will take the form of a 5-year business plan. This is not likely to appear until early next year after extensive consultation with local businesses and partners.
- 3.7 The actual proposal document will contain the following information:
- A copy of the summary DBID proposal;
 - A consultation report detailing the extent of the consultation;
 - A summary of the business plan, particularly finances and financial management of the DBID; and
 - A demonstration that the finances are available to cover the cost of the ballot in the event that it fails and if the number of persons voting in favour was less than 20 per cent of the number of persons entitled to vote.
- 3.8 If the Council agrees to cover the cost of the ballot, then the DBID does not need to satisfy the final bullet point, as the Council will be meeting these costs.
- 3.9 Schedule 1 to the regulations deals with the content of the BID proposal and the Council would need to check that the final DBID proposals when it is

produced includes all the details stated within this schedule – it is attached as Appendix B for reference purposes.

- 3.10 The local authority under the BID regulations is required to manage the collection and enforcement of BID levy charges but provision will be made in the DBID budget to pay the Council for this service. In practice the DBID body and the Council will establish a levy collection and services agreement often known as an Operating Agreement. The principle of this agreement is to define the principles and processes for collecting the levy; enforcing the payment of the levy; reporting on collection and bad debt; monitoring provisions between the DBID and the Council; and providing regular detailed and summary information on the service to the DBID as the client.
- 3.11 Best practice suggests that the draft agreement between the Council and DBID should be available for scrutiny by businesses during the ballot period.
- 3.12 The local authority is required to ensure the ballot is operated, in line with the BID regulations. Irrespective of whether the ballot is run in-house or outsourced, the Council as the ballot holder still remains legally responsible for the ballot process as set out in the regulations. The local authority is required to ensure a voter list has been created in readiness for the ballot, and this must originate from the rating list to define the eligible levy payers. If the Council were to agree to manage the ballot for the Yorkshire Coast DBID, it would become the lead collection agent for the other local authority areas.
- 3.13 Notification of the ballot outcome is required as soon as is reasonably practicable after the ballot with the ballot holder arranging for a public notice to appear detailing 4 specific matters explained in Schedule 2 of the regulations but refers to total number of votes cast; the aggregate rateable value of each business; how many “yes” votes and the aggregate rateable value of each business which voted “yes”. This is because the success of the vote relates to not only to the numerical majority in favour of the DBID proposal ie over 50% of the businesses that vote must do so in favour of the proposal but of the businesses that vote “yes” they must represent greater collective rateable value than of the total rateable value that vote “no”.
- 3.14 There is a 28 day period immediately after the ballot result announcement during which a request to the Secretary of State to declare the ballot void can be made. The request can be made by either the DBID proposer, at least 5% of the voters, or the Local Authority and this request needs to be made in writing to the Secretary of State. The request must set out the basis of the challenge, which must be a perceived material irregularity in the ballot process. It is worth mentioning at this juncture that officers understand that appeals have occurred on a number of occasions but none have succeeded in getting the ballot nullified.
- 3.15 Finally, the Local Authority has a role defined in the Regulations in pursuing termination procedures in the event that the DBID has insufficient funds and/or is unable to deliver the business plan outcomes/outputs. The

termination arrangements require the Local Authority to run a consultation with “appropriate” business representatives and to give notice of 28 days.

- 3.16 As mentioned earlier in the report a number DBIDs have been successful in other areas, Great Yarmouth, Isle of Wight, Newquay and Bournemouth. The funding in these areas has been used on a number of initiatives including:-

Bournemouth

Year one funding enabled 30 projects to be supported additional initiatives to that delivered by the Tourism Office these included:

- The Production of TV Adverts
- The production of themed films promoting key unique selling points
- The Development of new image libraries – non-restrictive for all businesses to use
- A new campaign aimed at encouraging 18-25 year old and 55+ to visit outside of the main summer season
- The delivery of 20 new festivals and events which included a large Air Show, a new Regatta, 8 Firework displays up and down the coast A live music and arts festival, Sporting events and a large Maritime Festival
- Introduction of new Town Centre Rangers
- Development of Town Centre Events and Festivals
- Development of Christmas Festivals
- Introduction of Tourism awards to drive quality

Newquay

Once again Newquay DBID has supported the development of marketing campaigns and events as well as investment in some destination place/signage improvements.

- Development and delivery of a new brand for Newquay
- Advertisement on TV, Radio and points of entry (i.e. Airports/Bus and Rail Stations/Underground)
- Wrapping of busses
- Increased PR/Press Trips
- Introduction of a Newquay Loyalty Card Scheme
- Development of 8 large scale events
- Installation of new street furniture
- Implementation of new interpretation maps
- Street signage
- Installation of 51 new signs

Isle of Wight

Isle of Wight developed three key themes and delivered a range of projects under each theme

1. Attracting Visitors for Life – Marketing and Promotion

- Ran high profile above the line advertising campaigns in Spring and Autumn
- Ran a campaign to focus on attracting new higher demographic first time visitors
- Introduced campaigns aimed at increasing length of stay on the island
- Developed a Customer Relationship Marketing programme based upon a database of 150,000 previous visitors to encourage repeat visits
- Developed campaigns alongside Visit Britain, Visit England and Tourism South East partnerships
- Invested in ongoing research to establish profile and motivations of visitors

2. Delivering the Experience – Place Shaping

- Development of an access and travel group to explore opportunities for improving access to the island
- Established a number of working parties to review the look and feel of the destinations, develop a plan of improvements and work with Authorities to implement.
- Undertook a visitor journey audit of the whole visitor experience to ensure that the destination meets the needs of its visitors in all ways especially in relation to sourcing information
- Introduction of awards to improve quality
- Ongoing on island visitor survey reporting back visitors perceptions, concerns about the destination monitoring satisfaction levels

3. Working Together – Developing Partnerships

- Lead a transparent, accountable and inclusive organisation that makes every levy payer feel involved and ensures they have a say in the development of activities, and the implementation and monitoring of plans and projects.
- Created strategic partnership and supporters' schemes to attract additional investment from tourism businesses and events outside the scope of the BID, large retailers, and supporting service industries over the lifetime of the BID.
- Created a governance and task-force structure that reflects the make-up of the levy payers.
- Created an online forum for all levy payers to access and exchange ideas, vote for actions and share ideas.
- Created toolkits of digital and creative assets that all the levy payers can use to help promote their own businesses and work together.

- 3.17 A number of these projects have been delivered to address a range of issues which whilst the Local Authorities were aware required investment, resources did not allow for them to be achieved. The DBID has enabled huge improvements across a whole range of areas.
- 3.18 The English Riviera have now established their DBID company following a successful ballot and are now working towards delivering their Business Plan. The area covers that of Torbay, Brixham, Paignton and Babacombe.
- 3.19 York and Leeds have also successfully developed a BID for the City which went through last year. The focus of the York bid, working closely with the Council Services is around Appearance and Environment, Events and Festivals, Safety and Security and Business Support.

4. CONSULTATION

- 4.1 A consultation exercise organised by the Mosaic Partnership did take place as part of the feasibility study but the DBID will be carrying out a more extensive consultation programme across sectors and the length of the Yorkshire Coast with both public and private sector businesses and organisations.
- 4.2 Consultation with officers and members from Redcar and Cleveland Council, North York Moors National Park, Scarborough Borough Council, the Welcome to Yorkshire Coast Tourism Advisory Board. Initial discussions have also taken place with Welcome to Yorkshire.

5. ASSESSMENT

- 5.1 The context within which the visitor economy is required to operate has changed beyond recognition in the last 20 years. Arguments put forward in recent years about how the industry is encouraged to grow and develop, and how to generate the investment needed to deliver growth have been superseded by a new financial landscape, and a new agenda has emerged which demands that funding models in particular be viewed from a new perspective.
- 5.2 The growth in England's tourism economy has been supported by substantial investment by local and national government in council tourism departments, national tourism bodies, and regional tourist boards, and latterly through the regional development agencies and Destination Management Organisations over the last few years. However, this model, based upon heavy public-sector dependency is no longer sustainable due to the public sector cuts that are having to be made. It is therefore imperative that Council and businesses together look at alternatives that deliver the level of investment required to meet the growth aspirations.
- 5.3 Destination Business Improvement Districts (DBIDs) offer one such model and present a real opportunity for the industry. They offer the potential of a step change away from sector support mechanisms which have all too often

been reactive and short term in nature due to funding restrictions, and deliver programmes that are determined on an ad hoc basis, to a sustainable and strategic alternative that is built on genuine and binding partnerships, and have a real business focus.

- 5.4 The Council faces some extremely challenging times over the next few years with expected savings of in excess of £5m to be found over the next 4 years, it is therefore going to be almost impossible for the Council to develop or support new initiatives to grow the visitor economy especially in relation to supporting and developing large events and festivals and developing the high level marketing campaigns required to support growth. The DBID model will provide the opportunity for the private sector to take the lead and develop and implement effective Visitor Economy business plans which will address this.
- 5.5 Whilst there is a requirement for the Council to support the development of the proposition phase in terms of providing a grant and undertaking the ballot, there may be opportunities moving forward for the Council to support the DBID company by managing the ongoing collection of the levy, as happens in other DBID areas, for which a payment would be made. Other services within the Council may also apply to the DBID body for funding, when established, to deliver activity against the business plan.
- 5.6 Many other destinations around the UK are looking towards the DBID model to support developing their Visitor Economy Strategies, many of whom are well ahead with their plans and are targeting UK and overseas visitors. Scarborough Borough must stay ahead of the game in terms of retaining its title as the second most visited destination outside of London and this funding model would support this.
- 5.7 A few concerns have been raised from some businesses in relation to how and where the funding would be spent. This will be determined through thorough consultation with the industry and in the development of the Business Plan proposition which will then be voted upon.
- 5.8 The geography, levy amount and rateable value cap will be determined following the consultation process.
- 5.9 The Council will be a levy payer as it has a number of tourism assets and it is estimated that this will be in the region of £17,711.
- 5.10 A number of concerns have been raised by Public Sector partners and the DBID group have been asked to ensure that these are considered and supported when developing the Business Plan.
 - The BID should recognise the need for resources to be spent on improving the quality of the tourism offer
 - Welcome to Yorkshire's and other key partners funding and effectiveness should not be challenged and any activity should compliment those that are already being delivered working together in partnership

- The BID should look to reflect the natural assets and heritage of the Coast
- The Discover Yorkshire Coast brand should be used in a way in which to reinforce the wider coastal message

5.11 The DBID group have confirmed that these requests will be taken into account and further consultation with public sector partners will be held as part of the development of the final business plan.

6. IMPLICATIONS

6.1 Legal

The power to undertake the DBID process is incorporated in the Business Improvement Districts (England) Regulations 2004. It is envisaged that as the DBID process progresses that a private company limited by guarantee with Directors elected from the Board's members may be constituted. If this option is to be followed, a further report will be brought back to Cabinet outlining the consequences for the Council and seeking approval to the Council entering into these arrangements,

Financial Implications

The Council have been asked, along with other neighbouring local authorities to make a financial contribution, as well as covering the costs of the ballot. The officers are minded to offer £15,000 and agree to manage the ballot as part of an "in kind" contribution to the overall set up costs identified in this report. Apart from these initial costs, if the DBID is successful then a number of the Council's premises will be liable to pay a levy contribution to the DBID and would receive voting rights.

An early estimate has indicated that 47 premises would contribute £17,711 per annum. These figures would need to be included in the Council's budgets for the 5 year duration of the DBID business plan. Similarly, this would be the case with the preparation of a statement of the existing baseline services provided by the Council in the proposed DBID. The statement forms part of the DBID proposal, which demonstrates to businesses voting for the DBID that the proposed DBID services are additional to the baseline services provided by all the public authorities.

Staffing Implications

Should the Council decide to undertake the postal ballot in house then there will be a requirement for Electoral Services to oversee and carry out the ballot process.

The DBID has budget provision and will be appointing a project team of Project Director (Full-time) and Administrative Officer (Part-time). These posts will be employed by the consultants employed to give specialist advice to the DBID.

The Local Authority would be responsible for collection of the BID levy should the ballot be successful. The details in relation to this would be agreed with

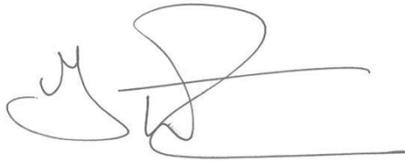
the BID organisation via an 'Operating Agreement' which also provides the Council to make a charge for this service.

Resources would also be required to formulate Baseline Statements for statutory and where relevant discretionary service areas.

There are no implications in relation to Planning, Crime and Disorder Health and Safety and Environmental.

7. ACTION PLAN

- 7.1 The Yorkshire Coast DBID is working towards a 12-18 month timetable from confirmation of the funding to move to the next proposition stage. First task will be to appoint the consultants to assist with specialist advice and detailed negotiations, followed by employing the project team that could take a couple of months to advertise the positions and interview suitable candidates. By the time the full team are in place it could be late summer. Developing the proposal or business plan will take the DBID into next year, with a potential ballot in September 2018, although more will be known of actual timescales once confirmation of all the funding is agreed.



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IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT Janet Deacon ON 01723 232570 e-mail janet.deacon@scarborough.gov.uk

Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1	27/3/2017	DBID results in no vote	DBID business plan would not be delivered	Work closely with Task group to support the development and delivery of the DBID for the Yorkshire Coast	C3	B2	Tourism Services/ Janet Deacon	As part of agreement request involvement in task group and development and delivery of DBID manifesto and consultation with industry
2	27/3/2017	Council unable to carry out ballot	unless another Council would take this on it is unlikely that the DBID would progress any further	Ensure that the timetable does not co-inside with a local or County election. Prepare a contingency plan should resources not allow for the DBID ballot to be carried out by outsourcing an Election Service. The Council would then oversee the process It is likely looking at the timetable that the Ballot would be carried out 12 months after the notice of intention is registered to Government, the intention	C2	B2	Electoral Services/Jim Dillon/ Kerry Russett	Work closely with DBID Task group to ensure timetable is agreed in ration to ballot process and date.

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
				<p>of this being carried out in September this year so the ballot would take place in Autumn 2018</p> <p>Thorough consultation with section 151 officer, elections officers and other involved to be undertaken as soon as possible in relation to the roles and responsibilities of the DBID ballot.</p>				