



**Buckinghamshire & Milton Keynes**

Environmental Records Centre

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## Charging Policy

### ***Aims***

1. To implement a charging system for the work undertaken by BMERC staff in processing wildlife information enquiries
2. To implement a charging system that is:
  - fair and equitable
  - easy to understand
  - rational
3. To introduce a hierarchy of charges based on the nature of the relationship with the enquirer and level of service provided
4. To ensure transparency in the calculation of charging rates for customers, including regular reviews of the rates

## **Policy**

BMERC has adopted a charging policy for all data-related services, based on a hierarchy of chargeable customers as well as the scale and complexity of the work being undertaken for those customers.

The Environmental Information Regulations 2004 (EIR) implement the parts of the Freedom of Information Act relevant to record centres. Under EIR, public authorities are required to make available environmental information on request. However, those covered by the Regulations may charge applicants a reasonable amount for making the information available.

The BMERC charging policy is a means by which the costs of processing the enquiries and presenting the data to customers can be recovered. The use of charges does not in any way result in the transfer of data ownership or copyright.

BMERC will endeavour to set service charge rates at the start of each financial year and maintain them throughout that financial year. Any changes to charging rates will only be with the approval of the BMERC Steering Group with an anticipated inflationary increase each year.

Data services will not commence without the written agreement of the requesting individual or organisation. This will take the form of an agreed price, a specification of outputs and service standards and a deadline for service delivery.

## **BMERC chargeable services**

BMERC undertakes two main types of data management services:

- **Data searches** – the provision of species records, habitat and site information (including maps of these features) which relate to specific locations or search areas. These tasks usually take between one and two hours.
- **Commissioned projects** – the undertaking of wildlife information management tasks of a greater time and geographic scale. These tasks are likely to take a number of days or weeks to perform.

The charging policy applies to these services as well as those in addition to / included in SLA work. Details of the range of services which BMERC can provide will be promoted on the BMERC web site or described within the BMERC Business Plan.

## **Customers, services and associated charges**

The hierarchy of customers and the associated charges for services are as follows (see also table in Appendix 1 for figures and Appendix 2 of SLA and other partners):

### **1. Commercial data users**

This category of customer includes environmental consultants, solicitors, other commercial organisations, developers and utility companies.

- **Data searches** will be chargeable at the commercial rate.
- **Commissioned projects** will be chargeable at the commercial rate.

## 2. Service Level Agreement Partners

These partners are considered to be all of the local authorities and agencies with which Service Level Agreements and Memoranda of Agreement with BMERC have been established.

- **Data searches** will be undertaken without charge unless they are of an extent and scale which warrants charges being applied. Decisions on whether searches are chargeable will be made in discussion between BMERC and the partner. Any urgent requests will be charged at the rate quoted in the agreement.
- **Commissioned projects** will be charged at the agreed partner rate.

## 3. Non-commercial organisations

This category includes conservation charities (e.g. BBOWT, RSPB), statutory agencies, Government departments (e.g. Ministry of Defence) and non-departmental public bodies (e.g. Centre for Ecology and Hydrology).

- **Data searches** will be undertaken using partner charging rates at the discretion of BMERC. This will range from free searches for those organisations with data exchange or service agreements with BMERC through to searches undertaken at partner rates.
- **Commissioned projects** will be charged at the agreed partner rate.

## 4. Recorders

This category includes naturalists or environmental groups whose recording is undertaken on a voluntary basis.

- **Data searches** will be carried out free of charge, regardless of whether the individual or group is a major data provider or if a data exchange agreement is held with them. If appropriate, any material costs generated through the data provision service (e.g. postage, photocopying) will be recovered or a donation warmly welcomed depending on the scale of the service (daily / hourly).
- **Commissioned projects** will be charged at the agreed partner rate.

## 5. Landowners or their agents

- **Data searches** will be carried out free of charge for private landowners, farmers or their agents where the searches relate to their own properties (or sites managed by them) and the results of the searches will be used for management plans of benefit to biodiversity. If appropriate, any material costs (e.g. postage, photocopying) will be recovered. Any other data searches (for example, in support of applications for stewardship schemes) will be charged at the commercial rate.
- **Commissioned projects** will be chargeable at the commercial rate.

## 6. Other enquirers

This category includes academic researchers, schools, parish-based groups (not covered in Category 4) and members of the public.

- **Data searches** will be carried out free of charge. If appropriate, any material costs generated through the data provision service (e.g. postage, photocopying) will be recovered or a donation warmly welcomed depending on the scale of the service (daily / hourly).
- **Commissioned projects** will be charged at the agreed partner rate.

## **Service standards for data searches**

All data searches will be completed within a standard response time, as agreed with the BMERC Steering Group. Variations on this performance standard may be negotiated with the customer as circumstances dictate.

Service Level Agreement and paying service customers will take priority over other enquirers in terms of service delivery. Equally, data agreement holders (those who lodge copies of their data with BMERC for general use) will take priority over non-contributing service users.

Service requests from students or academics associated with research projects that bring substantial benefit to the Records Centre may take priority over other education-related enquiries.

## **Charging variations for data searches**

Urgent enquiries - where a very rapid turnaround time is requested - may incur a 'late request penalty' of up to 50% of the total charge, at the discretion of BMERC staff.

Where very few or no records are found as result of a preliminary search, the charge for the service may be reduced by 50% or waived at BMERC's discretion.

## **Other issues**

Initial time spent by BMERC in negotiating service requirements and output deadlines for either data searches or commissioned projects with customers is non-chargeable.

Charges are invoiced following completion of the data search or the commissioned project objectives.

Changes in the rates of charges will be agreed with the BMERC Steering Group and publicised through the BMERC web site.

Other than in exceptional circumstances, charges will be maintained throughout a business year and will be effective for that business year.

Details of data search enquiries and other service agreements will not be passed on to any third party. However, service performance details (to include numbers of data searches associated with the customer hierarchy and the income generated) will be presented to the BMERC steering group on an annual basis.

## Appendix 1

### Buckinghamshire and Milton Keynes Environmental Records Centre charging policy

BMERC operates a hierarchical system of charges for wildlife information services, based on type of client to whom services are being provided. As a principle, the services to local residents, local naturalists and local landowners, teachers, students, Parish Councils and environmental charities are subsidised through funding from those better able to pay for wildlife information services. In addition, regular users of wildlife information services may enter into a Service Level Agreement (SLA) with BMERC, guaranteeing priority service and a reduced hourly and daily charge.

The following rates are accurate as from 1<sup>st</sup> October 2011 and will be charged plus VAT. Percentage increases to these being applied as detailed in the **Other issues** section on page 4.

	<b>Category 1. Commercial data users</b>	<b>Category 2. Service Level Agreement (SLA) partners</b>	<b>Category 3. Non-commercial organisations</b>	<b>Category 4. Recorders</b>	<b>Category 5. Landowners or their agents</b>	<b>Category 6. Other enquirers</b>
<b>Service Level Agreement work</b>	No charge if work is within outputs of SLA	No charge if work is within outputs of SLA	No charge if work is within outputs of SLA	N/A	N/A	N/A
<b>Hourly charge for data searches</b>	£90 / hour, with up to 50% surcharge for less than ten days notice**	Usually no charge if work within outputs of SLA to £75 / hour depending on extent and scale, with up to 50% surcharge for less than ten days notice**	From no charge to £75 / hour, with up to 50% surcharge for less than ten days notice**	No charge (but donations towards any material costs are welcomed)**	From no charge (but material costs may be recovered) to £90 / hour**	No charge (but donations towards any material costs are welcomed)**

	<b>Category 1. Commercial data users</b>	<b>Category 2. Service Level Agreement (SLA) partners</b>	<b>Category 3. Non-commercial organisations</b>	<b>Category 4. Recorders</b>	<b>Category 5. Landowners or their agents</b>	<b>Category 6. Other enquirers</b>
<b>Daily charge for data searches</b>	£360, with up to 50% surcharge for less than ten days notice**	From no charge if work within outputs of SLA to £257.50 / day, with up to 50% surcharge for less than ten days notice**	From no charge to £257.50 / day, with up to 50% surcharge for less than ten days notice**	No charge (but material costs may be recovered)**	From no charge to £350 / day, with up to 50% surcharge for less than ten days notice**	No charge (but material costs may be recovered)**
<b>Commissioned projects</b>	£360 / day	£257.50 / day***	£257.50 / day***	£257.50 / day***	£360 / day***	£257.50 / day***
<b>Data licences* 1 year, no update</b>	£600 - £2,500 pa, negotiable on amount of data	None (Within SLA)	£600 - £2,500 pa, negotiable on amount of data	None****	Negotiable ****	Negotiable ****
<b>Data licences* 1 year, 6 month update</b>	£600 - £5,000 pa, negotiable on amount of data	None (Within SLA)	£600 - £5,000 pa, negotiable on amount of data	None****	Negotiable ****	Negotiable ****

\* Data licences cover the repeat use of large dataset – usually supplied electronically

\*\* Priority service for different service users:

- SLA and paying service users will take priority over other enquirers.
- Data agreement holders (organisations and individuals which lodge copies of their data with BMERC for general use) will take priority over non-contributing service users.

\*\*\* BMERC does not currently have the capacity to carry out large scale, data-related tasks at no charge; large amounts of work for data agreement holders and other non-commercial users will be subject to charge.

\*\*\*\* Data use for data agreement holders will be subject to written agreements defining third party use of data and copyright.

## **Appendix 2**

### **SLA / MoA / Funding Partners**

Buckinghamshire County Council

Milton Keynes Council

Natural England

Environment Agency

Wycombe District Council

Aylesbury Vale District Council

South Bucks District Council

British Waterways

BBOWT