

REPORT TO KINCARDINE AND MEARNS AREA COMMITTEE – 18 JANUARY 2022

ABERDEENSHIRE COUNCIL NESBReC – INCREASE OF EXISTING CHARGES

1 Executive Summary/Recommendations

1.1 To seek comments from the Committee on the proposal to increase charges by 10% (including the annual inflationary uplift) for providing biological data to commercial users of North East Scotland Biological Records Centre (NESBReC). In accordance with the [Aberdeenshire Council Plan 2020-22](#) and [NESBReC Strategy 2020-23](#), NESBReC is looking to increase the income which it receives for providing biological data to commercial users who are predominantly in the development industry (environmental consultants). The concessionary nil charge for providing biological data to non-commercial users, typically for educational, research and general public use as well as providing information to other conservation bodies, is proposed to remain. Comments are being sought from all Area Committees in accordance with the Council's Corporate Charging Policy & Framework due to the proposed increase being greater than the standard inflationary uplift. Background information on NESBReC in relation to this matter can be found within **Appendix 1**.

1.2 The Committee is recommended to:

1.2.1 Comment on the proposal to increase charges by 10% for providing biological data to commercial users of North East Scotland Biological Records Centre (NESBReC).

2 Decision Making Route

2.1 Comments are being sought from this Committee and all other Area Committees prior to being presented to Environment and Infrastructure Services Committee for approval in accordance with the Council's Corporate Charging Policy & Framework. The proposal was presented to the Planning and Environment Member Officer Working Group on 8 September 2021 who were supportive of the proposals. No consultation with service users has been undertaken on the proposal as there was viewed to be no benefit or value added by doing so as the proposals will only impact upon commercial users external to Aberdeenshire Council. The benchmarking exercise undertaken (discussed below and attached as **Appendix 2**) is viewed to be sufficient in this respect and still remains in accordance with the Council's Corporate Charging Policy & Framework.

3 Discussion

3.1 In accordance with Aberdeenshire Council's Corporate Charging Framework NESBReC's charges for commercial users have been subject to an annual inflationary uplift which is set by the Finance Head of Service. In recent years this has been between 2-4%. In 2021/22 the rate agreed was 2.8% and in 2022/23 it will be 3.4%.

3.2 However, following a benchmarking exercise of charges applied by other biological record centres across the United Kingdom (attached as **Appendix 2**) who provide a similar level of service as NESBReC; and reviewing the staff resource used to fulfil these data requests (which prevents staff from undertaking other project work which may generate additional income for the Service); it is reasonable and appropriate to increase the charges by 10% from next financial year, 1 April 2022. This would be an additional 6.6% increase on top of the 3.4% inflationary increase. This would result in the charges being as follows:

Table 1: Comparison of NESBReC charges for commercial users 2021/22 & 2022/23 (proposed)

Distance (radius) from a central point	2021/22 Charge (exclusive of VAT)	2022/23 Charge (exclusive of VAT)
500m (minimum)	£91	£100
1km	£136	£150
2km	£184	£202
3km	£229	£252
5km	£273	£300
10km	£364	£400

3.3 The method of collection for the charge will remain the same (via invoice). At the present time and based on the staffing resources available to NESBReC, this increase to commercial charges is viewed to be the best viable and practical option to improve the overall budget position of NESBReC. Although in recent years, these charges have increased based on an inflationary figure, the amount provided by some of NESBReC's funders has remained stagnant or ended, while staff costs have continued to rise. The full cost of providing this service to commercial users will continue to be recovered using the revised level of charges.

3.4 It is not considered that this increase in charges will result in a reduction in the number of commercial organisations using NESBReC for providing biological data. This is due to the revised charges still being comparable with other local record centres across the United Kingdom who provide a comparable level of service. As **Appendix 2** demonstrates, the way in which local record centres charge commercial users for biological data varies between an hourly rate and based on the area of search (as per NESBReC).

3.5 Looking across the comparable data, either in terms of a minimum charge for the first hour of work or up to a 1km radius, even with the increase in charges, NESBReC would still have one of the most competitive rates. Specifically, for its minimum charge, NESBReC would still have a more competitive rate (£100) for commercial users than if they required to use the services of Fife Nature (£110) and The Wildlife Information Centre (TWIC) (£135). NESBReC charging at a similar level to other local record centres is viewed to be the most commercially

viable approach rather than basing it on a unit cost basis using officers on-cost hourly rates. It is noticeable that the charge for data extracts from Glasgow Museum Biological Records Centre (GMBRC) is substantially lower at £60. However, NESBReC are of the understanding that GMBRC's charges have not been reviewed for many years and are not viewed to be in line with the market rate. They are due to be reviewed soon, and it is expected that their charges will increase considerably.

- 3.6 While in terms of a direct comparison with a 1km search area, at £150, NESBReC would still have a very competitive rate with other local record centres providing a similar level of service. NESBReC is also the only biological records centre in North East Scotland covering Aberdeen City, Aberdeenshire, Moray and the Cairngorms National Park. Commercial users have no other sources to access high-quality biological data in the region. The information will still be required by them when assessing the ecological impacts of a proposed development. The price increase should not make a development unviable for a developer as this cost will be passed on by the environmental consultant who makes the data request.
- 3.7 This proposal to increase charges by 10% for commercial users has been presented to the NESBReC Advisory Group (consisting of representatives from funding partners of NESBReC, environmental consultants, and volunteer biological data recorders) which NESBReC provide updates on the work it is undertaking on a 6-monthly basis. No adverse comments were received by the group on the proposal.
- 3.8 As apparent from **Appendix 2**, there are differing ways in which local record centres provide biological data to commercial users across the United Kingdom, while the level and quality of data provided can also vary considerably. It is hoped following the presentation of the Scottish Biodiversity Information Forum's (SBIF) 'review of biological recording infrastructure in Scotland' to the Scottish Government in November 2018, that a national structure and system will be put in place for biological recording across Scotland. This should also result in a standard charging structure being put in place across all of Scotland for providing similar biological data extracts. Although this is being developed through the Better Biodiversity Data Project, it is estimated to still be several years until such a national system for biological data management is implemented. Therefore, it is again viewed to be appropriate to increase NESBReC's charges by 10% to commercial users at this time.

4 Council Priorities, Implications and Risk

- 4.1 This Report helps deliver the Strategic Priority "Economy and Enterprise" within the Pillar "Our Economy", by ensuring NESBReC has responsible finances.
- 4.2 This Report helps deliver key priority 4 of the Aberdeenshire Council NESBReC Strategy 2020-23 by looking to increase income generation potential for the Service.

4.3 The table below shows whether risks and implications apply if comments are made and taken into consideration in relation to the charging proposal.

Subject	Yes	No	N/A
Financial	X		
Staffing		X	
Equalities and Fairer Duty Scotland		X	
Children and Young People's Rights and Wellbeing		X	
Climate Change and Sustainability		X	
Health and Wellbeing		X	
Town Centre First		X	

4.4 The financial implications will be minimal. A 10% increase in charges to commercial users by NESBReC could result in increased income of approximately £1,000 being generated based on the same number of searches (53) undertaken in 2020/21. The amount of income generated from commercial users and the number of searches completed for commercial users undertaken by NESBReC in the last 3 years can be found within tables 3 and 4 of **Appendix 1**. This however could be offset by less data requests by commercial users. This is not believed to be the case though as explained in the discussion section above.

4.5 An Integrated Impact Assessment has been carried out as part of the development of the proposals set out above. It is included as **Appendix 3** and no impact has been identified.

4.6 The following Risks have been identified as relevant to this matter on a Corporate Level ([Corporate Risk Register](#)):

- *ACORP001 Budget pressures.* Any comments on this proposal may have an impact on the NESBReC budget. This is through the potential to be able to increase the amount of income which the Service receives.

4.7 No Risks have been identified as relevant to this matter on a Strategic Level ([Directorate Risk Registers](#)).

5 Scheme of Governance

5.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

- 5.2 The Committee is able to consider and comment on this item in terms of Section B.1.2 of the List of Committee Powers in Part 2A of the Scheme of Governance as it relates to making comments on a matter which will impact upon the Kincardine and Mearns area.

Alan Wood
Director of Environment and Infrastructure Services

Report prepared by Malcolm White, Team Leader (Specialist Services)
Date: 23 December 2021

List of Appendices

- Appendix 1 – NESBReC Background Information
- Appendix 2 – Local Records Centres charges benchmarking August 2021
- Appendix 3 – Integrated Impact Assessment

APPENDIX 1 – NESBReC BACKGROUND INFORMATION

- 1.1 NESBReC maintains a quality assured database of biodiversity information and disseminates this information to allow ecological assessment for Aberdeenshire Council and other organisations on relevant planning applications, forestry proposals, planning policy and Strategic Environmental Assessments. NESBReC also acts as a hub for biological data exchange and provides support and guidance for biological recorders among the general public. The [NESBReC Strategy 2020-2023](#) sets out the key priorities, aims and objectives for NESBReC.
- 1.2 NESBReC has 2.6 full-time equivalent (FTE) staff and is part of the Specialist Services Team within the Planning and Economy Service, Environment & Infrastructure Services. NESBReC is supported through an annual grant from NatureScot (previously known as Scottish Natural Heritage), and a Service Level Agreement with Aberdeen City Council. Other funding is received through grants, project work and payment for biological data searches for private organisations. The overall ~~budget~~ expenditure to Aberdeenshire Council to deliver NESBReC, including salaries and associated staff costs over the last 3 years is as follows:

Table 1: NESBReC ~~Budget~~ Expenditure including salaries and associated staff costs

Year	Costs	Income	Net Expenditure
2018/19	£128,214	£ 96114 ,020	£ 3217 ,194
2019/20	£109,342	£75,668	£33,674
2020/21	£96,184	£67,023	£29,161

- 1.3 [Aberdeenshire Council's 2020-2022 Plan](#) states how as a Council we are going to do things differently, in particular:

Focus on working towards full cost recovery: The financial challenges faced by the Council have been inflamed by COVID-19 forcing us to actively consider and review our charging policy. In order to present a balanced budget, the Council will work towards full cost recovery - ensuring that we recoup the cost of the service we are delivering wherever possible.

Focus on commercialisation: We need to protect our valuable frontline services and ensure positive outcomes for local communities. To do this we are working innovatively to develop a more commercial approach to our activities.

- 1.4 Key priority 4 of the Aberdeenshire Council NESBReC Strategy 2020-23, which was approved at Infrastructure Services Committee on 21 January 2021 (Item 12) states:

Explore further alternative sources of income for NESBReC, including working with other Local Record Centres to ensure the Service continues to operate in an efficient and sustainable manner.

- 1.5 In accordance with the above Aberdeenshire Council Plan and NESBReC Strategy, NESBReC is looking to increase the income which it receives for providing biological data to commercial users who are predominantly in the development industry (environmental consultants). The charges for data services which NESBReC deliver to commercial users in 2021/22 is outlined in table 2 below. The concessionary nil charge for providing biological data to non-commercial users, typically for educational, research and general public use as well as providing information to other conservation bodies, is proposed to remain.

Table 2: NESBReC charges for commercial users 2021/22

Distance (radius) from a central point	Charge (exclusive of VAT)
500m (minimum)	£91
1km	£136
2km	£184
3km	£229
5km	£273
10km	£364

- 1.6 The above charges are used as a basis for tailoring a quote to the specifics of the request made (e.g., data on specific species only), but more complex data requirements can be searched and charged for accordingly. This can subsequently result in a varying amount of staff time spent on each request. As a minimum though, a charge of £91 is applied to any request made.
- 1.7 The income received by NESBReC for charging commercial users for data services over the last 3 years is as follows:

Table 3: NESBReC income from commercial users

Year	Income from Commercial Users
2018/19	£6,164
2019/20	£10,322
2020/21	£10,085

- 1.8 The above figures are based on the following number of searches undertaken:

Table 4: Number of searches undertaken by NESBReC

Year	Number of searches undertaken for commercial users
2018/19	37
2019/20	65
2020/21	53

Aberdeenshire Council

Integrated Impact Assessment

NESBReC - Increase of existing charges

Assessment ID	IIA-000283
Lead Author	Malcolm White
Additional Authors	Glenn Roberts
Service Reviewers	David MacLennan
Subject Matter Experts	Claudia Cowie
Approved By	Paul Macari
Approved On	Friday December 03, 2021
Publication Date	Tuesday December 14, 2021

1. Overview

This document has been generated from information entered into the Integrated Impact Assessment system.

North East Scotland Biological Records Centre increasing existing charges by 10% for providing biological data to commercial users.

During screening 1 of 10 questions indicated that detailed assessments were required, the screening questions and their answers are listed in the next section. This led to 1 out of 5 detailed impact assessments being completed. The assessments required are:

- Sustainability and Climate Change

In total there are 0 positive impacts as part of this activity. There are 0 negative impacts, all impacts have been mitigated.

A detailed action plan with 1 points has been provided.

This assessment has been approved by paul.macari2@aberdeenshire.gov.uk.

The remainder of this document sets out the details of all completed impact assessments.

2. Screening

Could your activity / proposal / policy cause an impact in one (or more) of the identified town centres?	No
Would this activity / proposal / policy have consequences for the health and wellbeing of the population in the affected communities?	No
Does the activity / proposal / policy have the potential to affect greenhouse gas emissions (CO2e) in the Council or community and / or the procurement, use or disposal of physical resources?	No
Does the activity / proposal / policy have the potential to affect the resilience to extreme weather events and/or a changing climate of Aberdeenshire Council or community?	No
Does the activity / proposal / policy have the potential to affect the environment, wildlife or biodiversity?	Yes
Does the activity / proposal / policy have an impact on people and / or groups with protected characteristics?	No
Is this activity / proposal / policy of strategic importance for the council?	No
Does this activity / proposal / policy reduce inequality of outcome?	No
Does this activity / proposal / policy have an impact on children / young people's rights?	No
Does this activity / proposal / policy have an impact on children / young people's wellbeing?	No

3. Impact Assessments

Children's Rights and Wellbeing	Not Required
Climate Change and Sustainability	No Negative Impacts Identified
Equalities and Fairer Scotland Duty	Not Required
Health Inequalities	Not Required
Town Centre's First	Not Required

4. Sustainability and Climate Change Impact Assessment

4.1. Emissions and Resources

Indicator	Positive	Neutral	Negative	Unknown
Consumption of energy		Yes		
Energy efficiency		Yes		
Energy source		Yes		
Low carbon transition		Yes		
Consumption of physical resources		Yes		
Waste and circularity		Yes		
Circular economy transition		Yes		
Economic and social transition		Yes		

4.2. Biodiversity and Resilience

Indicator	Positive	Neutral	Negative	Unknown
Quality of environment		Yes		
Quantity of environment		Yes		
Wildlife and biodiversity		Yes		
Infrastructure resilience		Yes		
Council resilience		Yes		
Community resilience		Yes		
Adaptation		Yes		

4.3. Evidence

Type	Source	It says?	It Means?
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Type	Source	It says?	It Means?
Other Evidence	Officer Knowledge	NESBReC is the only biological records centre in North East Scotland covering Aberdeen City, Aberdeenshire, Moray and the Cairngorms National Park. Commercial users have no other sources to access such high-quality biological data in the region. The information will still be required by them when assessing the ecological impacts of a proposed development. The price increase should not make a development unviable for a developer as this cost will be passed on by the environmental consultant who makes the data request.	The proposed 10% increase in charges to commercial users will not have a negative impact on the natural environment.

4.4. Overall Outcome

No Negative Impacts Identified.

NESBReC is the only biological records centre in North East Scotland covering Aberdeen City, Aberdeenshire, Moray and the Cairngorms National Park. Commercial users have no other sources to access such high-quality biological data in the region. The information will still be required by them when assessing the ecological impacts of a proposed development. The price increase should not make a development unviable for a developer as this cost will be passed on by the environmental consultant who makes the data request.

5. Action Plan

Planned Action	Details
<p>To implement the proposed 10% increase in charges to commercial users the proposal will be taken forward by first of all seeking comments from the Planning & Environment Member Officer Working Group. Then it will be progressed in line with the Council's Corporate Charging Policy & Framework which includes it being presented to Area Committees for comment and a decision at Infrastructure Services Committee in accordance with Part 2A – List of Committee Powers of the Aberdeenshire Council's Scheme of Governance.</p>	<p>Lead Officer Malcolm White</p> <p>Repeating Activity No</p> <p>Planned Start Wednesday September 08, 2021</p> <p>Planned Finish Thursday March 10, 2022</p> <p>Expected Outcome For the proposal to increase charges to commercial users by 10% to be implemented.</p> <p>Resource Implications Officer time to write and present the report on the proposal to the Planning & Environment Member Officer Working Group, the 6 Area Committees and the Infrastructure Services Committee.</p>