

Policy options for geographic information from Ordnance Survey

A joint response by the English National Park Authorities Association and the Welsh National Park Authorities Association

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Introduction

1. The English National Park Authorities Association (ENPAA) exists to provide a collective voice for the nine English National Park Authorities (NPAs) within England. It is governed by the Chairs of the nine Authorities, and our response, therefore, represents the collective view of the Authorities. The Welsh Association of National Park Authorities (WANPA) provides the same for the three National Park Authorities in Wales. Our response has been prepared jointly following internal discussion amongst Professional Officer Groups that cover both countries. Individual NPAs may wish to submit separate comments, which will draw on the specific issues for their particular area.

2. We welcome the consultation on the 'Policy options for geographic information from Ordnance Survey'. Our response is broadly in-line with the Local Government Association (LGA) response that has also been submitted. Before responding to the specific questions posed by the consultation paper, we wish to make the following additional comment. National Park Authorities utilise a great deal of geographic data from a number of government sources including ONS and CLG. National Parks face a significant problem with this data because much of it is geo-coded using postcode, ward and parish boundaries, some of which straddles National Park boundaries. This makes analysis particularly difficult. NPAs are keen to further evidence based decision making, but struggle to do so in the absence of data that is cut to National Park boundaries. The recent consultation by Defra on the National Parks Circular, recognises this point and specifically urges those with responsibility for preparing data sets to where possible provide data that is cut to National Park boundaries. This extends beyond data from Ordnance Survey to a wide range of data sets prepared by public agencies.

Specific questions raised in the consultation document

1) What are your views or comments on the policy drivers for the consultation?

1.1 Historically there have been significant issues in sharing data and making this information available to the public to use and reuse in a cost effective way. Any change that makes data sharing and reuse easier is to be welcomed. There would be significant benefits for public sector organisations to be able to make use of these datasets - to both display information for public view, and to engage in consultation with the public through the internet without the existing restrictive licensing provisions that Crown Copyright demands.

1.2 The need to free up the market to promote innovation is also welcomed.

1.3 There are a number of issues that any changes need to consider:-

a) The vast majority of data that the citizen needs from local government is referenced using OS MasterMap, OS Integrated Transport Network and address data. These datasets are not included in the OS Free preferred option and therefore 'OS Free' would not significantly enable the use and reuse of government information unless derived data is licensed using the same licensing terms.

- b) Innovation of bringing new data products to the market could be stifled if 'OS Free' goes ahead. A number of products are now in the market place that compete with some of the smaller scale raster data within the 'OS Free' product mix. By making a fully refined end product freely available there is little or no stimulus to add value to that product directly. However, there will be an opportunity to bring innovatory products to the market that utilise the unrefined base data.
- c) There is also an assumption in the plans that high specification large scale map data is still needed. What is needed is a common referencing framework that a topographic database provides.
- d) The main geo-referencing framework and transforms remain Crown Copyright and at present royalty free. Any option needs to include the assurance that any data captured using the transform and associated correcting services is free from Crown Copyright and will not incur royalty payments for its use.
- e) Pricing signals cannot dictate either the quality or cost of OS products because of the historic monopoly position of OS and the insistence that derived data is licensed as though it is a full product. By making derived data use and reuse free for all products, the market will be made to work more effectively.
- f) The policy drivers seem to miss out 'addressing' as a key issue. Most goods and services delivered to the citizen are centred on that individuals address, not a map location.
- g) The Cambridge Study seems at odds with the preferred option. The study recommends that the larger scale data is made free in a raw state and the 'upstream' and small scale value added data is kept as it is.
- h) We must also consider the capture once, use many times ethos of DNF. Do we want a plethora of products with slightly different spatial accuracies? ENPAA and WANPA believe we need one definitive set of data at each particular scale that the market can then utilise and / or add value too.
- i) The quality and currency of geographic data must be maintained. Any changes must ensure that there is a long term sustainable commitment to maintaining and providing high quality data that meets user needs.

2) What are your views on how the market for geographic information has evolved recently and is likely to develop over the next 5-10 years?

2.1 We broadly agree with the analysis provided. There appears, however, to be very little on the influence of OS's licensing model. Innovation and cost reduction will not work effectively until the issues surrounding derived data are dealt with. This is because migrating to a competitor's product is too expensive and the use licensing too restrictive to enable the migration.

2.2 Use of geographic data is increasing and there is potential for both increasing its use further and for wider application of geographic data to improve the provision of evidence and presentation of it.

2.3 Despite the fundamental value of the data to ourselves, resources are constrained, as the consultation paper mentions. This will require subsidy in some way to help to ensure that geographic data is available to meet statutory purposes when market driven demand would not, and to ensure joined up data provision.

2.4 We would expect recreational users to still require high quality recreational paper maps. These users would be less price sensitive than casual map users.

3) What are your views on the appropriate pricing model for Ordnance Survey Products

3.1 It is difficult to establish which pricing model will work best until the monopoly position of OS is removed. Users of the large scale (and most expensive products) are effectively locked into using these products because of derived data licensing issues.

3.2 Demand-based pricing structures could work in this context, however the restraints caused by derived data licensing must be removed. We must also consider what impact a demand based pricing structure may have on the ability of OS to produce and maintain a large scale database and how this data is then reused to produce products of different scales. i.e. 'can capture once use many times' be viable in an entirely market driven pricing structure? There is a real danger of the comparatively high quality data that we now enjoy being lost if no sustainable funding stream can be found.

4) What are your views and comments on public sector information regulation and policy, and the concepts of public task and good governance as they apply to Ordnance Survey?

4.1 Generally we have major concerns about PSI and cost. All government must be able to cover its costs for the provision of information to third parties. Overall PSI regulations are too complex and need simplifying.

4.2 In relation to OS, the separation of OS's public task into two strands is artificial (paragraph 4.32) since many of the products that may be made free are derivatives of MasterMap / ITN.

4.3 OS's public task should be to co-ordinate the production of unrefined data that is used for the national benefit. This unrefined data could be collected by the public or private sector, then refined into value added products at a variety of scales.

4.4 We would like to see the stakeholder executive and OPSI strengthened as they seem to have little ability to influence how OS operates. We are concerned that even a group procurement worth ten's of millions of pounds has little influence on the price, licensing and specification of the products offered.

5) What are your views and comments on the products under consideration for release for free re-use and the rationale for their inclusion?

5.1 There is an issue between the release of the smaller scale products and ideal of making public data public. Government data is generally derived from MasterMap, ITN or linked to an address. Until derived data from these products is made free to use and re-use then the drive to make public data public will never reach its full potential.

5.2 We must also consider the impact on the market of the proposals since many of the products being made available have viable competitors that are cheaper and offer better licensing conditions.

5.3 The analysis suggests that the growth area is in these smaller scale products that are going to become freely available. We can see benefits to National Park Authorities if the suggested mix of products contained in OS Free are available for use and re-use.

6) How much do you think government should commit to funding the free product set? How might this be achieved?

6.1 The analysis suggests that under the present charging policy sales of the free product set raised approximately £20 million. The analysis also indicates that OS Free could cost anywhere between £8 and £14m (or £19-24m depending upon the figures used) to fund.

6.2 Government could contribute to the shortfall through central taxation, or by revising the creative commons licensing. Commercial exploitation could be used to recoup the cost of production and maintenance. This revision would align OS Free to the making public data public principle; be less restrictive to market competition; and ensure OS continues to have a funding stream for the products. We do not want to see an additional financial burden being placed upon local authorities by either surcharge or by loading of any tariff rebalancing that is being suggested.

7) What are your views on how OS Free could be delivered?

7.1 We agree with the suggested mix of online API and hard media delivery. We think, however, that the API should be provided on more forms than the current OS Openspace service which is Java-script only e.g. also provide Flash and Silverlight.

7.2 We also question if Creative Commons licensing is the correct model of licensing since these licences address copyright only, not database rights. We recommend that the OS Free products be made available either without limitation for non-profit making purposes – so called ‘public domain’ or via a licence that covers database rights such as that offered by Open Data Commons licensing.

8) What are your views on the impact Ordnance Survey Free will have on the market?

8.1 The short term effect would be to stimulate the use of the mapping by consumers. We also expect there would be more innovative delivery solutions developed to meet the needs of the market since costs would be lower. However this would be at the detriment of existing competing products. The OS Free products are in effect complete, refined products, and as a data product there is very little opportunity to add value. This could be mitigated by releasing the raw unrefined data to the market as well which can then have value added to it. This would ensure that there is competition for data products in the market place. Again, commercial use could be charged for, so the refined OS data products would be free for not for profit, but chargeable for commercial applications. The unrefined data could be made freely available for both commercial and non commercial applications.

8.2 We are concerned about the possibility of a national map series not being available. Recreational users need paper maps as digital devices are not reliable enough for all users. If this were to occur we would welcome support from the government to fund production of a national map series as suggested in section 7.32 of the consultation document.

9) What are your comments on the proposal for a single National Address Register and suggestions for mechanisms to deliver it?

9.1 Addresses are key to providing goods and services to our customers. It is vital that a single definitive address register is developed to ensure the consistent and efficient delivery of government services to the citizen.

9.2 This can be achieved by a combination of systems and processes. The major stumbling block has been intellectual property rights bound up in the existing data sources. Using all of the available datasets held by government could produce the basis for the National Address Register. The work being done on the 2011 Census points to what needs

to be done to move the register forward. A reciprocal rights arrangement between the major contributors could be imposed on the three key data collectors, i.e. Royal Mail, OS and Local Government whereby the data is jointly owned as a whole and can be freely used by these organisations. Any commercial royalties gained through sales could then be shared between the parties. A legal obligation would, however, need to be placed on Local Authorities to maintain the gazetteer to an acceptable standard.

10) What are your views on the Options outlined in this consultation

10.1 For local authorities, there are three main issues with the present 'status quo'. These are licensing restrictions, costs and data quality. None of these issues can be addressed due to OS's dominant position in the market and the costs associated with moving to alternative products due to derived data issues.

Option 1 would solve none of these issues.

Option 2 would go some way to addressing these issues. However, there is the question surrounding funding and this would impact on data quality. It would also effectively nationalise mapping data capture. These concerns could be addressed by charging for database changes, as suggested in the Cambridge study; additional fees placed on Land Registry searches or on planning applications could fund this. Data capture could also be privatised with what remains of OS providing a co-coordinator role, managing data capture processes and working with users to establish and maintain consistent data capture and data specifications for raw data. The advantage of this approach is that we a) ensure consistency of product since there is only one topographic database being captured to a defined specification b) gain private sector efficiencies to drive down costs, and c) provide raw data to the market to add value to.

Option 3 has some advantages, however, unless derived data on which the majority of local government data is drawn from enjoys the same licensing rights as OS Free the benefits would be significantly reduced. We also have concerns regarding tariff re-balancing. The burden of the cost of tariff re-balancing cannot be shouldered by local government organisations. This is because they could, in theory, face a doubling of charges for the Ordnance Survey data they require to carry out their statutory duties if this additional cost is shared between the PGA and MSA signatories. Because most data is tied into OS derived data licensing, local government will have no choice but to pay for OS MasterMap. At the very least, if the government decides to implement this option they should reset the price of the larger scale products downwards and fund the residual gap as suggested in section 9.15. Use of data for commercial purposes should not be free and could be used to provide funding for the OS Free data used for non commercial purposes. This option also reinforces OS's market position and does little to ensure value for money and OS's ability to deliver what users require.

11) What will be the balance of the impact of these proposals on your costs and revenues?

11.1 This depends upon the chosen option. Option 2 could dramatically reduce the licensing costs of data. Option 3 could double the licensing costs if OS Free and tariff rebalancing is shared between central and local government.

12) Will these proposals have any impact on race, gender or disability equalities?

12.1 No, however, the impact on the less IT literate and recreational users (both groups being more likely to rely upon paper based mapping) needs to be considered.