

Agenda item: 

**Title of meeting:** Culture, Leisure and Sport Decision meeting

**Date of meeting:** 10 October 2014

**Subject:** Reproduction Fees for use of Images from the Council's Museum and Archive Collections

**Report by:** Head of City Development and Cultural Services

**Wards affected:** All

**Key decision:** No

**Full Council decision:** No

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**1. Purpose of report**

1.1 To revise the fees for the reproduction of images from the council's museum and archive collections.

**2. Recommendations**

**2.1 That the categories and scales of fees are simplified.**

**2.2 That a new category of reduced fees for local people and businesses is introduced.**

**2.3 That the recommended fees for the use of images are agreed and implemented from 1 December 2014 as follows:**

**2.3.1 The reproduction fees for books including e-books and CD ROMs for Portsmouth residents and businesses will be £30 for inner pages and £90 on covers for print runs up to 1,000 copies. The fees will be £40 and £110 for print runs up to 10,000 copies and £70 and £130 for print runs over 10,000.**

**2.3.2 The reproduction fees for books including e-books and CD ROMs for non-Portsmouth residents and businesses will be £50 for inner pages and £150 on covers for print runs up to 1,000 copies. The fees will be £60 and £200 for print runs up to 10,000 copies and £110 and £300 for print runs over 10,000.**

**2.3.3 The reproduction fees for newspapers, magazines and leaflets for Portsmouth residents and businesses will be £30 for inner pages and £80 for covers.**

**2.3.4 The reproduction fees for newspapers, magazines and leaflets for provincial publishers will be £40 for inner pages and £100 for front pages.**

- 2.3.5 The reproduction fees for world-wide rights for newspapers, magazines and leaflets will be £80 for inner pages and £250 for front pages.**
- 2.3.6 The reproduction fees for merchandise for Portsmouth residents and businesses will be £100.**
- 2.3.7 The reproduction fees for merchandise for non-Portsmouth residents and businesses will be £250.**
- 2.3.8 The reproduction fees for website use will be £100 for one year's use and £250 for 5 year's use.**
- 2.3.9 The reproduction fees for single country television transmission of an image will be £100.**
- 2.3.10 The reproduction fees for world television transmission of an image will be £150.**
- 2.3.11 The reproduction fees for world television transmission of an image for 5 year use will be £250.**
- 2.3.12 The reproduction fees for use of images in displays and exhibitions for up to one year will be £50 and £150 for over one year.**
- 2.3.13 The reproduction fees for use of images (with the exception of images pertaining to the Conan Doyle collection) in displays and exhibitions by other accredited museums and galleries will be waived where entry to the venue and exhibition is free of charge.**
- 2.3.14 The reproduction fees for third sector groups and organisations will qualify for a reduction of 15% except for the 'Portsmouth' category where there will be no further reduction.**
- 2.3.15 The reproduction fee for the use of images in talks, lectures and presentations will be £2.00.**

### **3. Background**

- 3.1 The fees under consideration in this report are for the use of images. They neither are copyright fees nor are they charges for the cost of producing images. These fees and charges may apply in addition to reproduction fees.**
- 3.2 The fees under consideration are for the use of images in books, magazines and newspapers, on television, in merchandise such as postcards and CD covers, on websites etc. Reproduction fees are not levied for private personal use.**

3.3 These fees are not facilities fees for filming on museum sites. There are separate scales of fees and reimbursements of costs incurred for these administered by Corporate Communications.

#### **4. Reasons for recommendations**

4.1 The fees for the reproduction of images were last changed in December 2011. No changes were made at the last review of fees and charges in January 2013 apart from reductions for lower print runs and for use by voluntary/third sector organisations. A revision is now due to reflect the changed market and in response to feedback from enquirers.

4.2 A number of potential users of images have expressed unhappiness at the cost of our reproduction fees and several potential users have been deterred from using our images due to the cost. Reduced fees may result in increased income as more potential users may be able to afford the fees and choose to use our images.

4.3 Benchmarking our fees against those levied by a variety of museum and archive services, particularly those of similar size shows that our fees are out of alignment with those of many services.

4.4 Our present structure of reproduction fees is complex, more suited to a larger organisation. Currently 78 categories are listed, the revision proposes 18 categories. Staff time is taken up with discussions about which category a request to reproduce an image falls into.

4.5 Some users and potential users have expressed dissatisfaction that Portsmouth's museums do not facilitate local use of images owned by the city council. At least one local government authority (Brighton and Hove) has a special lower rate for image reproductions by local people and businesses.

4.6 'Portsmouth' is defined as the area of the unitary authority, postcodes P01 to P06.

4.7 A reduction of 15% of the fees will be granted to third sector groups and organisations, reflecting their charitable basis. However there will be no reduction for third sector groups and organisations for the 'Portsmouth' categories of fees as this category has been set at a low rate.

#### **5. Equality impact assessment (EIA)**

5.1 An equality impact assessment is not required as the recommendations do not have a negative impact on any of the protected characteristics described in the Equality Act 2010.

**6. Legal comments**

6.1 Where there are limitations either in time or on use of the images these need to be made clear either in a supporting document or as part of the application form for the use of the material.

**7. Finance Comments**

7.1 The income collected from reproduction fees is currently included within other museum income lines. It is estimated that approximately £500 was collected during 2014/15.

Although the requests for reproductions do not follow any patterns or trends, it is anticipated that the new local rate will marginally increase income.

Reproduction fee income will be separately identified in future so that the impact of the changes can be monitored.

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Signed by:  
**Stephen Baily**  
**Head of City Development & Cultural Services**

**Appendices:**

Appendix A:           Reproduction fees for the use of images from the council's museum and archive collections

Appendix B:           Comparison table

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by Cabinet Member for Culture, Leisure and Sport on 10 October 2014.

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Signed by:  
**Cabinet Member for Culture, Leisure and Sport**