



St Ives Town Council

Twinned with Stadtallendorf

Town Clerk: Alison Benfield BA (Hons) FSLCC

Town Hall, Market Hill, The Old Riverport, St Ives, Cambridgeshire, PE27 5AL
Telephone: 01480 388929 Email: clerk@stivestowncouncil.gov.uk

COPYRIGHT & USAGE POLICY

1.00 Introduction

Creators of work are entitled to legally protect their intellectual property eg Copyright, Designs and Patents Act 1988 and related legislation. This can include design rights and the use of trademarks, registered designs and patents.

St Ives Town Council has a responsibility to ensure:

- a) The correct usage of protected works through its own activities;
- b) The correct permission structure to allow others to make use of materials produced in the name of the Town Council.

This policy sets out how the council seeks to protect its own rights and those belonging to others.

2.00 Permission structure for council works

Where the council is the originator of the work, or has commissioned it such that it holds all rights, these shall be available for use by the community under the licence:

Attribution-NonCommercial-ShareAlike 4.0 International (CC BY-NC-SA 4.0)

<https://creativecommons.org/licenses/by-nc-sa/4.0/>

This allows others to reuse council materials for non-commercial purposes provided that they credit the council and anything that they create is also made available for others to reuse on the same basis.

This is to enable community groups to use materials which have originally been created using public funds.

2.01 Commercial usage

There will be times when a third party wishes to make use of works for a commercial purpose. These shall be considered on an individual basis. Where the works include derivatives, they shall require separate permission from the originator as this will fall outside of the ability of the council to grant.

3.00 Usage of protected works

St Ives Town Council seeks to ensure that, where possible, anything produced for or by the council; where it does not hold the full rights; is correctly licenced. Where this is not possible the works shall ideally be clearly marked with the copyright logo (©), the year and the rights holders name or as specified by the rights holder.

The Council shall maintain a simple record of this so that those wishing to make use of the item at a future point is able to contact the rights holder. This will include, where necessary, what permission has been granted and any evidence provided of this.

As a whole it is highly unlikely that the Council would undertake any activity which would be covered by, or make use of Patent legislation.

4.00 Enforcement and control

The Council shall monitor its own activities to prevent breaches of copyright. The majority of situations where this can occur is within the Town Hall. This shall be dealt with in three ways with prevention being the main purpose:

- 1) **General usage** – The Council shall undertake periodic checks to ensure that actions of individual members do not break copyright and design legislation or impinge on the rights of another.
- 2) **Websites, Noticeboards and The Bridge Magazine (publication)** – Third Parties providing materials for the council shall be asked to ensure that they have the correct permissions in place for the reuse of materials. Checks of content will be undertaken on a risk based basis. So for example where a photograph has been provided reassurances will be sought so that the correct credits can be provided.
- 3) **Other sites** – No copying or sound equipment or facilities have been provided. This shall be reviewed, including unannounced visits, as part of the Council's risk management processes.

5.00 Licensing bodies

To aid the correct licencing and usage of materials and the related enforcement of copyright there are a number of licensing bodies representing creators and licence holders. The council does not currently submit anything to these bodies to be licenced.

The following is not an exhaustive list but sets out what the different bodies cover, and the council's current position with regards to their licensing requirements:

5.01 PRS for Music

The Performing Rights Society cover the licencing of musical compositions and lyrics on behalf of composers and music publishers. The council provides no facilities for the play back of music. Where a member of staff uses a personal portable device they are required to use headphones so as not to cause a disruption to others and is therefore covered by the PRS exemption:

<http://www.prsformusic.com/users/businessesandliveevents/Pages/PRSforMusicchargingpolicies.aspx#5>

Note: The music currently used for hold on the telephones is licensed separately.

5.02 PPL for Music

A PPL license is separate and represents performers and record companies. The council provides no facilities for the play back of music. Where a member of staff uses a personal portable device, they are required to use headphones so as not to cause a disruption to others and is therefore not public.

<http://www.ppluk.com/I-Play-Music/Businesses/>

5.03 Television licence

The council does have a television and therefore does hold a television licence under the old rules did not require a television licence.

5.04 NLA licence

This licence focuses on journalism including news and media outlets. Currently the council does not print from websites and focus primarily on providing a link back to the original content which is allowed for as it helps to increase traffic. <http://www.nlamediaaccess.com/>

5.05 Copyright Licensing Agency (CLA)

The council does not make copies of information without the permission of the originator. Therefore, it should not require a separate licence. <https://www.cla.co.uk/making-copies>

6.00 Individual licenses

A number of larger organisations allow for information to be licenced through them for non-profit use. These fall in to two types. As an example:

6.01 Formal: Ordnance Survey

Under the PSMA (Public Sector Mapping Agreement) the Council has access to a number of different types of map, including their reproduction and modification provided that correct acknowledgements and references are provided.

This is part of a formal framework that the council has had to sign up to and the issued licence number **must** be included when a map is reproduced.

<https://www.ordnancesurvey.co.uk/business-and-government/public-sector/town-parish-community-councils.html>

6.02 Informal: Google Maps

Other providers, such as google, allow maps to be reproduced for not-for-profit use. This is allowed provided their expressed terms and conditions are met. For example the copyright shown will change depending whether information licensed from a third party has been included and reflects the limitations placed by the third party on google as a provider.

https://www.google.com/intl/en_uk/help/terms_maps.html

7.00 Notes and References

Further details of the legislation and rules in place for Intellectual Property can be found on the government website: <https://www.gov.uk/topic/intellectual-property/copyright>

Copyright protection

Individuals and businesses can seek to protect their copyright through the use of third-party providers to demonstrate when an item was first used or registered.

<http://www.copyrightservice.co.uk/>

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