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|  | Question | Answer |
| 1 | What is the current status of the Humber Estuary PSS pilot. Has there been any evidence gathered to date of development in the area since 2007 and if so, will this be made available to the successful contractor? | Natural England are in the early stages of the Humber Estuary PSS pilot. No relevant evidence on development has been gathered at this stage. |
| 2 | Is there a minimum development site size that should be mapped? | Natural England has not determined a minimum development site size at this stage; however, we would welcome proposed parameters in the methodology, where suitable justification is provided. |
| 3 | Can you please confirm the definition of an urban area? Which dataset has been used to define these? | We expect the supplier to determine appropriate datasets. Natural England holds (and has access to) a range of geographic data that may be accessed for the project, subject to the relevant use and copyright restrictions. Further information can be found at How to access Natural England's maps and data - GOV.UK ([www.gov.uk](https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.gov.uk%2F&data=05%7C01%7CNE_Contracts_Finder%40naturalengland.org.uk%7C85d3e0ceedd54e814f1908db9e3d784e%7C770a245002274c6290c74e38537f1102%7C0%7C0%7C638277759062307926%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=QbM7UQZSfhDY%2BvLBUQNaCBeRf1d%2FC3cbb8mFd7aAEtU%3D&reserved=0)).    By urban we mean to disregard development within a built-up area - relating to a town or city. We would welcome proposed approaches in the methodology, and we can discuss and agree an exact definition at an initial project kick-off meeting. |
| 4 | The SoW states *“It should be noted that the creation of mitigation land for loss of FLL developments will have been provided in some cases.”* Can you please confirm who will provide this?  ( we wanted to confirm that you would expect that details of any areas of mitigation land for loss of FLL would be contained within the planning application. If not, are you aware of any existing source for this specific information) | We would expect details of mitigation areas provided to be included within the planning application information. The methodology should be determined by the potential supplier; however, we do not anticipate that an in-depth assessment of individual mitigation area provision would necessarily be required to address the project requirements. |
| 5 | Digitising - is there a requirement to align digitising where appropriate to other existing base mapping (e.g. OS MasterMap)? | We advise that this should be determined by the successful contractor.    Natural England holds (and has access to) a range of geographic data that may be accessed for the project, subject to the relevant use and copyright restrictions. Further information can be found at How to access Natural England's maps and data - GOV.UK ([www.gov.uk](https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.gov.uk%2F&data=05%7C01%7CNE_Contracts_Finder%40naturalengland.org.uk%7C85d3e0ceedd54e814f1908db9e3d784e%7C770a245002274c6290c74e38537f1102%7C0%7C0%7C638277759062307926%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=QbM7UQZSfhDY%2BvLBUQNaCBeRf1d%2FC3cbb8mFd7aAEtU%3D&reserved=0)).    Licensing requirements should be considered by the potential supplier in the proposed methodology to deliver the requirements of this project. This would need consider the ability to use an open government licence to share the outputs of the project. |
| 6 | Task 1 mentions planning of field work - what extent of field work is expected? | This is a drafting error in the document, please ignore reference to field work. |
| 7 | Can you provide an indicative budget for the completion of the work? | Natural England, as standard practice, does not disclose exact budget amounts. Suppliers are expected to provide an accurate quote based on the information provided in the RFQ. We can confirm that the estimated value of this contract is £20,000 to £45,000. |
| 8 | Could you advise if you expect us to use a specific Land classification system? | Natural England does not require a specific land classification system to be used; however, suitable justification should be provided in the proposed methodology.    Licensing requirements should be considered by the potential supplier in the proposed methodology to deliver the requirements of this project. This would need consider the ability to use an open government licence to share the outputs of the project.    Natural England holds (and has access to) a range of geographic data that may be accessed for the project, subject to the relevant use and copyright restrictions. Further information can be found at [How to access Natural England's maps and data - GOV.UK (www.gov.uk)](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fguidance%2Fhow-to-access-natural-englands-maps-and-data&data=05%7C01%7CNE_Contracts_Finder%40naturalengland.org.uk%7C3257a65bbb454dca97fe08db9e3e1a11%7C770a245002274c6290c74e38537f1102%7C0%7C0%7C638277761782128767%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=386dJRb3ept2Yg6Pst%2FECyvys%2BeTiRtf0dhSPQoYqZk%3D&reserved=0). |
| 9 | Can Natural England confirm that it is permissible under copyright to use information from planning applications obtained from Local Authority planning portals within this project, particularly the use / digitising of red line boundaries? We observe statements on a number of planning portals to the effect of: *"All plans drawings and materials submitted to us are protected by the Copyright, Designs and Patents Act 1988. You may only download and print materials for consultation purposes. Any further copies must not be made without the prior permission of the copyright owner, the applicant, agent and architect."*. Can Natural England clarify if this includes red line boundaries? If so, do Natural England have (or believe they can secure) blanket permission for use? Alternatively, is it anticipated that permission would need to be sought from each individual developer? | Natural England advises that we have not investigated specific licensing requirements for potential data sources at this stage.    Licensing requirements and other issues highlighted should be considered by the potential supplier in the proposed methodology to deliver the requirements of this project. This would need consider the ability to use an open government licence to share the outputs of the project.    The Request for Quotation invites the potential supplier to clearly outline the most feasible methodology within their submission. |
| 10 | If permission would need to be sought from each individual developer, it is likely that the amount of data obtained would be limited. Can Natural England indicate how they would see the project progressing if this were the case? | Natural England consider that requiring permission from each individual developer for red line boundaries would make the project unviable.    As above, the potential supplier should outline a suitable methodology within their response. |
| 11 | Do Natural England believe it will be necessary to obtain Ordnance Survey licensing to digitise or use the red line boundaries (which are often derived from Ordnance Survey MasterMap mapping). If so, are they able to provide this? We note that this may impact the ability to publicly release the data E.g. under the Open Government License. | Natural England have not determined the requirements for data licensing at this stage and advise that this should be considered by the potential supplier in quotation submissions.    Natural England has access to a range of geographic data, including OS Mastermap, which may be accessed for the project, subject to the relevant use and copyright restrictions. Further information can be found at [How to access Natural England's maps and data - GOV.UK (www.gov.uk)](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fguidance%2Fhow-to-access-natural-englands-maps-and-data&data=05%7C01%7CNE_Contracts_Finder%40naturalengland.org.uk%7Cff29f4a8a81f43a61ab108db9e5b23f2%7C770a245002274c6290c74e38537f1102%7C0%7C0%7C638277886499552823%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=F6WkRq3LNG05b8lVmG6P3l%2FU1DK9SchYUf3g9urJayo%3D&reserved=0). |
| 12 | Can Natural England provide an indication (even just order of magnitude) of the number of developments to be considered or included? | We have not gathered such information at this stage. |
| 13 | Are you able to advise whether Natural England hold any data such as aerial photos or habitat maps for the area that will be made available for the project? | As above, Natural England holds (and has access to) a range of geographic data that may be accessed for the project, subject to the relevant use and copyright restrictions. Further information can be found at [How to access Natural England's maps and data - GOV.UK (www.gov.uk)](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fguidance%2Fhow-to-access-natural-englands-maps-and-data&data=05%7C01%7CNE_Contracts_Finder%40naturalengland.org.uk%7Cff29f4a8a81f43a61ab108db9e5b23f2%7C770a245002274c6290c74e38537f1102%7C0%7C0%7C638277886499552823%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=F6WkRq3LNG05b8lVmG6P3l%2FU1DK9SchYUf3g9urJayo%3D&reserved=0). |
| 14 | Are there any clarifications for this opportunity?  Tomorrow will leave us very little time to adjust our response (if necessary), could there be an extension? | We have received a number of clarification questions and will be publishing questions and responses today/tomorrow *(15/16th August)* if you keep an eye on the contracts finder page.  We have extended the closing time to 11:59pm on Monday 21st August. |
| 15 | Have there been any clarification questions submitted? | We have received a number of clarification questions and the questions and responses will hopefully be published today/tomorrow *(15/16th August)* if you keep an eye on the contracts finder page. |
| 16 | I have realised I should have asked for a Word version of Annex 2 as well. Would you be able to send a Word version to me?  The Standard Condensed Terms obviously doesn’t have the ‘Acceptance of Terms and Conditions’ details that the version in the RFQ has . Would it be acceptable if I add those details to the end of the Word document? | There should be a word document called ‘NE Standard Condensed Terms’ on the Contracts Finder page, which is the same as Annex 2.  Yes no problem, as long as all of the information is in the documents submitted that’s fine. |
| 17 | Given these responses, there remains uncertainty around the use of any data we may derive or obtain from planning applications submitted to Local Planning Authorities.  We have recently delivered a project, which explored the usage of data from planning portals. In the report for this work, we noted that questions remain around digitising and sharing planning portal information under an OGL agreement.  In the response to clarification questions, it is stated that seeking permission from each developer to use red line boundaries would make this project unviable.  Given this, we cannot at this point see a way to guarantee delivery of the project specification: namely to provide digitised polygons for each relevant planning application red line boundary, including relevant attributes such as application reference number, for the data to be owned or licensed to Natural England, and for the outputs to be made available under the Open Government License, without further clarity.  Would Natural England consider an alternative approach, with an initial scoping phase and a break clause in the contract? | We appreciate the points raised and recommend that, rather than including a break clause in the contract, the methodology could be split into two phases, with an initial scoping phase and second phase (the approach to which would be contingent on the outcomes of the scoping phase). If this is the approach you would like to take, we recommend that the methodology should include details of the proposed alternative approaches to the second phase, including a detailed cost breakdown for each option.  Based on these additional considerations, we have made a decision to extend the deadline date to Wednesday 30th August at 11:59pm. The information on Contracts Finder will be amended accordingly. This will inevitably lead to a slight delay in the contract start dates etc, which will be clarified in the agreed documentation with the successful bidder. |
| 18 | Our contract review team have highlighted a few potential amendments to your terms, would these be agreeable? | As stated in the RFQ document, Natural England will not accept any changes to these terms and conditions proposed by a supplier. We may be able to make minor administrative changes prior to award but as these are fairly significant, we would not be able to accept them. |
| 19 | By additional questions do you mean there's already been a set of clarifications published?  If so, I can't see them on Contracts Finder.  Will there be an opportunity to ask further questions in line with the extended deadline? | Yes there are a number of questions and responses on the Contracts Finder page, under ‘QA Humber Estuary Special Protection Area v2.’  There will be another version of this (v3) uploaded shortly with additional questions.  We will not be accepting further questions during the extension period, unless they directly relate to questions that have already been asked. |
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