LIVE MUSIC ACT 2012 BASELINE STUDY
This year has been a fantastic year for British music.

Export of UK talent is at an all time high. British artists and musicians climb the charts all over the world.

Our global standing has been significantly boosted by the Olympics and the Paralympics which shone a light on our unique creativity. The opening and closing ceremonies positioned music at the heart of any celebration of Great Britain.

We have honored some musical greats and we have developed much new talent. Music is integral to our national identity.

In this golden year of music, the passing of the Live Music Act needs a bold credit.

Thanks to the perseverance, dedication and hard work of Lord Tim Clement Jones, Don Foster MP, Tom Kiehl, the Musician’s Union and other music industry bodies, the Live Music Bill became an Act on March 8th. This is the first truly deregulatory Act affecting licensing in years.

It means the staging of live music will be easier and cheaper for venues up and down the country. Venues with an audience of 200 and under will no longer require an entertainment license for the staging of live music. This means many more venues can now put on live performances without needing to apply for a separate license or bear any additional cost for this.

The research in this document aims to capture and identify the potential impact and reach of the Act. The baseline results are astounding and very positive for our industry. Potentially, 36,000 venues will stage more live music performances once the Act comes into effect than they have done in the last 12 months.

Playing live music is fundamental in the development of new bands. Tweaking their sound and engaging with their audience and fans is a vital building block in the career of musicians. This Act is critically important for ensuring new talent, the lifeblood of the future industry, continues to break new ground and gain new fans in venues all over the UK.
This Act is welcome news for bands at the early stages of their career. But it isn’t just new or developing artists that will feel the benefit. The Act deregulates the working landscape for jobbing musicians; a pianist in a restaurant or cellist in a hotel.

By the nature of the increase in activity in these venues, we predict an increase in the profits taken by the bars, hotels, shops and restaurants affected. PRS for Music found that, on average, music venues take £306 more in wet sales on a day where they stage live music. Now that we have put the baseline work in place, UK Music is committed to repeating the research year on year. We want to properly assess the legislation with rigorous testing. My aim is to guide the music industry to take advantage of the new opportunities in the Act. But I also want to show Government the objective impact of such deregulation.

The Musicians’ Union will be producing a ‘Live Music Toolkit,’ this will ensure venues know how best to benefit form the Act.

UK Music believes the impact of the Live Music Act will be fundamental. The rippling effects, both economic and cultural, of stimulating the grass roots music scene will be felt for years in this country. This is a genuinely exciting moment for the music industry and I am very proud that UK Music has played a role.

Viva pub rock!
"THE PASSING OF THE LIVE MUSIC ACT IS GOOD NEWS FOR VENUES LIKE UNPLUG.

WE ARE LOCATED ON DIGBETH HIGH STREET, BIRMINGHAM, WHICH HAS PLAYED HOST TO MANY LARGE AND POPULAR EVENTS OVER THE YEARS, SHOWCASING A VAST ARRAY OF ARTISTS, MUSICIANS AND DEEJAYS.

WE PUT ON GIGS THROUGHOUT THE WEEK, FEATURING LOCAL AND NATIONAL BANDS AND WE ARE PLANNING TO PUT ON MORE LIVE SHOWS IN THE FUTURE. THE LIVE MUSIC ACT CAN ONLY BE GOOD NEWS FOR VENUES THAT PROMOTE LIVE MUSIC."
UK Music commissioned a survey of a nationally representative sample of pubs, bars, clubs, restaurants, and hotels across England and Wales – all with a capacity of under 200 – to establish how many currently stage live music for their customers.

The results indicate that we are a nation of grassroots music lovers, with more than half of these small venues currently licensed by their local authority to stage live music in their premises.
WE ESTIMATE THAT AMONGST THEM, AN ESTIMATED 2.4 MILLION LIVE MUSIC PERFORMANCES TOOK PLACE IN THE 12 MONTHS THAT IMMEDIATELY PRECEDED THE SURVEY. EVEN SO, WE UNCOVERED STRONG EVIDENCE THAT OUR NATIONS’ APPETITE FOR LIVE MUSIC IS NOT NEARLY BEING MET.

A REDUCTION IN LOCAL AUTHORITY BUREAUCRACY, MAKING IT EASIER FOR SMALL PREMISES TO STAGE LIVE MUSIC, COULD RESULT IN TENS OF THOUSANDS MORE LIVE MUSIC PERFORMANCES EVERY YEAR.

ACCORDING TO OUR FINDINGS, THE LIVE MUSIC ACT, WHICH DEREGULATES LIVE MUSIC IN SMALL PREMISES, COULD LEAD TO AN ADDITIONAL 13,000 VENUES STAGING LIVE MUSIC IN THEIR PREMISES FOR THE FIRST TIME, AND A FURTHER 23,000 VENUES INCREASING THEIR CURRENT PROVISION OF LIVE MUSIC.
THE LIVE MUSIC ACT WAS PASSED BY PARLIAMENT IN MARCH 2012

The purpose of the legislation is to encourage more performances of live music, by deregulating the performance of live music so that it is not a licensable activity.

Once the Live Music Act comes into effect, premises will no longer need to apply to their local authority for a licence to provide live music, so long as the music takes place between 8am and 11pm to audiences of no more than 200 people.

The Live Music Act is noteworthy in that it was initiated by a member of the House of Lords, Tim Clement-Jones, as a "private members’ bill." Legislation introduced this way rarely makes it into law.

As an enthusiastic proponent of this legislation, UK Music made a commitment to measure the impact of the Act and report on its effect.
The first step in measuring the impact of the Act was to establish an accurate baseline, against which any effect can be measured in the future.

We teamed up with the Market Research Group based at Bournemouth University. A survey of 1,000 premises was conducted throughout England and Wales between March and May 2012. The timing of the survey was important because it was after the Live Music Act had been passed by Parliament, but before any guidance had been issued by Government in advance of the legislation actually coming into effect.

HERE ARE THE FINDINGS:

OVER HALF (51%) OF SMALL PREMISES CURRENTLY HAVE A LICENCE FROM THEIR LOCAL AUTHORITY IN ORDER TO STAGE LIVE MUSIC.

45% OF PREMISES SURVEYS HAVE PERMISSIONS FOR LIVE ENTERTAINMENT, AND HAVE ACTUALLY STAGED LIVE ENTERTAINMENT IN THE PAST 12 MONTHS.

A FURTHER 3% OF PREMISES DO NOT HAVE PERMISSION FOR ENTERTAINMENT ON THEIR LICENCE FROM THE LOCAL AUTHORITY, BUT HAVE STAGED LIVE MUSIC PERFORMANCES IN THE PAST 12 MONTHS (FOR EXAMPLE USING A TEMPORARY EVENTS LICENCE FOR ONE-OFF EVENTS).
Next, we looked at the provision of live music by type of premise. Clubs were the most likely type of venue to stage live music performances, followed by pubs. Restaurants were the least likely to already stage live music performances.

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<tr>
<th>Type</th>
<th>Proportion</th>
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<tbody>
<tr>
<td>Pub</td>
<td>57%</td>
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<tr>
<td>Clubs</td>
<td>69%</td>
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<tr>
<td>Restaurant</td>
<td>28%</td>
</tr>
<tr>
<td>Hotel</td>
<td>50%</td>
</tr>
<tr>
<td>Bar</td>
<td>43%</td>
</tr>
<tr>
<td>Other</td>
<td>32%</td>
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We then asked all those who have held a live music performance in the past 12 months how often live music performances took place.

Almost half (49%) had staged live music at least once a month on average, suggesting that live music is an established part of the entertainment on offer.

The top 10% had staged live performances at least 5 times a month on average, suggesting that live music is used as a primary draw for customers.

Just over half (51%) had staged 10 or fewer performances in total during the past 12 months.

39% had staged just 5 or fewer live music performances, suggesting that for a significant minority of venues, live music is a rare, occasional or ad-hoc extra.
Bars reported the highest number of performances, with 50% staging more than 30 performances a year, and almost a quarter staging more than 60 performances a year.

Conversely, whilst clubs were the most likely type of venue to stage live music performances at some point over the past 12 months, half had only staged music on a handful of occasions.

Restaurants were not only the least likely to stage any live music at all, they also staged the fewest in number.

In total, premises licensed for live entertainment staged an average of 24 live music performances over the past 12 months.

Therefore, we estimate that in the 12 months prior to the passing of the Live Music Act, around 2.4 million live music performances took place in small licensed premises in England and Wales.
“LIVE MUSIC IS PRETTY MUCH THE LIFE-BLOOD OF STICKY MIKE’S FROG BAR. WITHOUT IT WE WOULD NOT EXIST. WE STRIVE TO PUT ON AN ECLECTIC MIX OF GIGS, ATTRACTING A VARIETY OF PASSIONATE MUSIC LOVERS.

STICKY MIKE’S HAS ONLY BEEN ON THE LIVE MUSIC MAP FOR JUST OVER A YEAR, BUT NOW REGULARLY APPEARS ON BANDS’ TOUR LISTINGS. THE ACT WILL ENCOURAGE SMALLER VENUES TO HOST MUSIC EVENTS, WHICH IS GREAT NEWS FOR MUSIC AT A GRASS ROOTS LEVEL.”
The vast majority of small premises are aware that permission for entertainment via a licence is current required from the local authority in order to stage live music.

However, the vast majority of small premises were unaware of the passing of the Live Music Act, which will enable small premises to stage live music without the need for entertainment licence from their local authority, once it comes into effect.
This equates to new provision of live music in 13,000 premises across England and Wales. Moreover, almost a quarter of premises that currently have permission for entertainment on their licence from their local authority report that they will increase the number of live music performances as a result. This equates to an increase in the number of live music performances in a further 23,000 premises across England and Wales. So in total, 36,000 premises will stage more live music performances once the Live Music Act comes into effect than they have in the past 12 months.

Premises were then asked if the change in legislation would affect their provision of live music. The results show that the change in legislation could have a very significant effect. 17% of the premises that currently do not have permission on their entertainment licence from their local authority (and so do not stage live music) report that they will increase the number of live music performances as a result (from zero).
“Music has always been at the forefront of PizzaExpress culture ever since founder Peter Boizot started the company in 1965.

Many people are aware of our Jazz Cubs in Soho, Chelsea and Maidstone which last year alone presented over 800 live music shows, but we also had 60 of our restaurants hosting over 500 performances to accompany some of our evening diners.

I’m delighted that this new live music act has been passed by Parliament as it will encourage more live music performances across the UK.”
“I’M ALL FOR THE LIVE MUSIC ACT. APPARENTLY. THE COCK TAVERN WAS THE VENUE FOR THE STEREOPHONICS FIRST LONDON GIG BEFORE THEIR INTERNATIONAL FAME! IT WAS BEFORE MY TIME BUT I’D LIKE TO THINK THAT WITH THE PASSING OF THE NEW LEGISLATION WE’D BE ABLE TO HOST OTHER BANDS THAT NEED A PLACE TO PERFORM FOR THEIR FANS. WITH THE UNIVERSITY NEARBY I FEEL THAT THIS WOULD BE A GREAT LOCATION TO HOST BAND NIGHTS AND I WOULD HOPE THAT WE WOULD DO SO AT LEAST ONCE A WEEK. HOPEFULLY WE CAN DO OUR BIT IN SUPPORTING LOCAL TALENT.”
POTENTIAL IMPACT

Premises that currently stage the fewest live performances are the most likely to increase the number they stage after the legislation comes into effect.

All types of premises intend to increase their provision of live music as a result of deregulation. One-third of all bars surveyed intend to increase their provision of live music. And more than a fifth of hotels and pubs report an intention to increase their provision of live music as a result of the Live Music Act.

Frequency of current live music provision, for those intending to increase their provision as a result of the Live Music Act.

<table>
<thead>
<tr>
<th>Number of Performances in the Past Year</th>
<th>Percentage of Venues</th>
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<tr>
<td>up to 5</td>
<td>60</td>
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<tr>
<td>6–10</td>
<td>50</td>
</tr>
<tr>
<td>11–30</td>
<td>40</td>
</tr>
<tr>
<td>31–60</td>
<td>30</td>
</tr>
<tr>
<td>61–120</td>
<td>20</td>
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Intend to Increase
How the Live Music Act will effect the number of live music performances for English regions and Wales.

Time will tell, but the earliest signs suggest that the Live Music Act could trigger a significant expansion of live music provision in small premises in every region throughout England and Wales.

Note: the lower sample sizes for each region mean higher margins of error, so care must be taken in assigning statistical validity to the differences between regions.
LARRY DARMANIN, FORMER MUSIC PROMOTER IN SOUTHAMPTON

“I WAS 17 WHEN I STARTED PROMOTING. IT WAS THE EARLY 1960S. THE STONES HADN’T MADE IT YET; THEY STILL WERE GIGGING AROUND THE RICHMOND AREA. THE BEATLES HAD JUST ONLY COME OUT WITH LOVE ME DO.

IN THOSE DAYS, BANDS WOULD DEVELOP A LOCAL FOLLOWING FIRST. THE PROMOTERS WOULD GET TO HEAR OF THIS BAND THAT EVERYONE’S TALKING ABOUT, AND THEN WANT TO GET A SLICE OF THE ACTION, PROMOTING THEM ALL AROUND THE COUNTRY THROUGH THE NETWORK THAT EXISTS.

I WORKED AT THE WATERFRONT CLUB IN THE BACK ROOM OF THE CLIFF HOTEL IN SOUTHAMPTON. THE WHO PLAYED TWICE AT OUR CLUB. ROD STEWART PLAYED WITH LOCAL SOUTHAMPTON BAND THE SOUL AGENTS. WE GOT MARMALADE DOWN FROM LONDON WHEN THEY WERE RESIDENT AT THE MARQUEE. THE WHOLE PUB WOULD BE HEAVING WITH BODIES ON MUSIC NIGHTS.

LIVE MUSIC PLAYED A BIG PART IN THE RISE OF THE BRITISH MUSIC INDUSTRY. THE REMOVAL OF LICENSING RESTRICTIONS WILL BE REALLY HELPFUL IN PROMOTING LIVE MUSIC. HOPEFULLY, IT SHOULD ALSO ENCOURAGE A NEW SPIRIT OF ENTREPRENEURSHIP TOO.”
If every premise that indicated that it would increase the number of live music performances as a result of the Live Music Act did so, by just one performance a year, there would be 36,000 more live music performances each year.

If the 13,000 premises that currently do not stage any live music went on to stage the average number of performances per year (amongst the small premises that already hold a licence for live entertainment), there would be an additional 312,000 live music performances each year.

These are merely projections based on reported intentions. UK Music is committed to a follow-up study to test the actual impact of the Live Music Act once it has been operational.
JON WEBSTER, CHIEF EXECUTIVE OF THE MMF

"For managers who have direct involvement with artists and musicians the impact of this Act is clear. Very few artists have progressed to stardom without a significant period of gigging in smaller bars and clubs. Performance opportunities are an essential – some would say the essential stage in the development of musical careers. There is much to link the UK having a thriving grassroots music scene and its position as the second most important source of musical repertoire in the world."

JOHN SMITH, GENERAL SECRETARY OF THE MUSICIANS’ UNION.

"The Musicians’ Union has worked for years supporting and working with Government on the Live Music Act. The passing of this Act must be seen as a real achievement for the industry. As this research from UK Music shows the potential is huge for venues and working musicians all over the country. The MU will be working with venues and musicians on guidance so that everyone knows their rights. For many seasoned and accomplished musicians, live performance is the sustenance of their careers, with the passing of the Live Music Act this income is something we at the MU look forward to see growing."

STEVE LEVINE, RECORD PRODUCER, CHAIRMAN OF THE MUSIC PRODUCERS’ GUILD.

"The passing of the Live Music Act will have a very positive effect on my area of work. When I work with artists on new material, translating those songs, arrangements & studio sound live is a crucial part of the development process. The impact of this act will be huge; with venues increasing their provision of live music more musicians will gain valuable experience, perfecting their craft. It is also really important for musicians to engage with an audience. It is essential to feel how an audience reacts to a song to see what works and what doesn’t. The potential of this Act for the industry is very exciting."
ED VAIZEY, 
MINISTER FOR CULTURE, 
COMMUNICATIONS & THE CREATIVE 
INDUSTRIES, 
THE DEPARTMENT 
FOR CULTURE, MEDIA AND SPORT.

“The Live Music Act is a thoroughly welcome piece of legislation. It had my full support and that of Government as it became law and we are now committed to seeing it implemented quickly and efficiently. New legislation should be scrutinised and initiatives like this UK Music research will help Government assess its impact. I am delighted that early indications show it will energise tens of thousands of new live music performances, exactly as we hoped.”

DON FOSTER 
MP 
HOUSE OF COMMONS SPONSOR 
(OF THE ACT)

“Unlocking 13,000 small venues from the constraints of red tape demonstrate the value deregulatory measures can make to our cultural and creative life. UK Music’s research also highlights that a quarter of existing venues are likely to seek an increase in the provision in live music. The benefits of the Live Music Act to our society and communities are unquestionable.”

LORD TIM CLEMENT-JONES 
PROONENT 
OF THE PRIVATE MEMBERS’ BILL

“UK Music’s research underlines why I brought forward the Live Music Bill in the first place, the previous entertainment licensing regime was a deterrent for putting on live music in small venues. Going forwards, the new Act will now operate as a real stimulus for live music across England and Wales. The challenge now is to communicate this vital research as widely as possible to make the most of this opportunity for both musicians and performers.”
ABOUT UK MUSIC:

UK MUSIC IS THE UMBRELLA BODY REPRESENTING THE COLLECTIVE INTERESTS OF THE UK’S COMMERCIAL MUSIC INDUSTRY FROM SONGWRITERS AND COMPOSERS TO ARTISTS AND MUSICIANS, STUDIO PRODUCERS, MUSIC MANAGERS, MUSIC PUBLISHERS, MAJOR AND INDEPENDENT RECORD LABELS, MUSIC LICENSING COMPANIES AND THE LIVE MUSIC SECTOR.

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BOURNEMOUTH UNIVERSITY

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