

# Live Music Forum

Chief Executives of District Councils in England  
Chief Executives of County Councils in England  
Chief Executives of Counties or County Boroughs in Wales  
Chief Executives of London Boroughs  
The Sub-Treasurer of the Inner Temple  
Under-Treasurer of the Middle Temples  
Town Clerk of the Corporation of London  
Chief Executive of the Council of the Isles of Scilly  
Officers responsible for Arts and Culture

14 October 2004

Dear Colleague

## LICENSING ACT 2003: CONSULTATION ON DRAFT STATEMENTS OF LICENSING POLICY

I am writing as Chair of the Live Music Forum to draw your attention to the importance of live music, both for the vibrancy of our culture and its contribution to local economies. The aims, history and background of the Forum are attached for your benefit. We work closely with both LACORS and the LGA and it is with their support that we write to you.

Licensing reform represents a unique opportunity for your authority to take a positive stance in relation to the performance of live music. The Forum hopes that your authority will reflect this opportunity when drafting its licensing policy statement.

I know that Tessa Jowell, in her letter accompanying the section 182 Guidance, spoke of the very important and often underrated role that local authorities have to play in the country's musical and broader cultural life. Her letter drew particular attention to how local authorities can use new opportunities provided by the 2003 Act for the development of a range of cultural activities, including the performance of live music, in local communities.

The Live Music Forum would like to reiterate and support those comments, and in particular ask that licensing authorities consider the cultural and economic importance of live music within their areas when drafting their licensing policy statements.

By way of example, MORI has recently completed important research which has provided the Forum with a much better understanding of just how important live

music is to both our leisure time and our local economies. The research found that within the last 12 months there have been 1.7 million live music events throughout England and Wales. Also, 47% of the establishments interviewed have provided at least one live music event within the same period. Furthermore, 55% of those providing live music said they were doing so purely because of customer demand. This, I'm sure you will agree, is an incredibly impressive set of figures.

Obviously, with this in mind, the Forum is very keen to encourage local authorities to adopt as many of the recommendations contained within the S.182 Guidance in relation to live music as possible.

Already many local authorities have responded to the challenge in a most positive and impressive manner, and we are very grateful for that. But if the provision of live music is something you are still considering for your draft local licensing policy we thought that you might find it helpful if we were perhaps to illustrate an example of how some local authorities have incorporated provision for live music into their proposed policies.

Attached you will find an example which the Members of the Forum feel may provide a very useful illustration of what some Local Authorities have already included in their policy statements. It is in fact simply an extract derived from a couple of existing local consultation documents which we feel strike a positive balance between responding to the Guidance recommendations while still providing the necessary flexibility at a local level.

As we now know, live music does play an extraordinarily significant role in all of our lives, culturally and economically. It would indeed be a remarkable achievement if over the next few years, through all of us working together, we were able to push that figure of 1.7 million live music events closer to 2 million. For audiences, musicians and local economies alike, that could only be a good thing.



**FEARGAL SHARKEY**  
Chairman, Live Music Forum

## ABOUT THE LIVE MUSIC FORUM

The Live Music Forum was established earlier this year as an ad hoc advisory body to the Department for Culture, Media and Sport. During the passage of the Licensing Act 2003, concerns were raised about the possible impact of the new licensing reforms upon the performance and availability of live music; the creation of the Forum was partly a response to those concerns. The Forum, which is drawn from national government, the Welsh Assembly, local government (through LACORS and the LGA), the Arts Council, the music industry and grassroots, voluntary organisations, has been established to: maximise the take-up of reforms in the Act relating to the performance of live music; monitor and evaluate the impact of the new regulations on the performance of live music; and promote live music.

The Forum's members are encouraged by DCMS to act as independently as possible. So while the Department is supportive of the thrust of this initiative, and is aware of the terms of this letter, it should be read as one from the Forum itself. It has not been written on DCMS's behalf, and it does not necessarily precisely reflect the views of the bodies from which Forum members are drawn. It does however represent the collegiate viewpoint of the Forum.

## **SUGGESTED FORM OF WORDS FOR INCLUSION IN RELEVANT SECTIONS OF DRAFT LICENSING POLICY STATEMENTS**

The Council wishes to encourage and promote live music, dance and theatre for the wider cultural benefit of the community. We will seek to obtain a balance between the potential for limited neighbourhood disturbance and the benefits of cultural activities, particularly for children, and will not allow the views of vocal minorities to predominate over the general interests of the community.

We will only attach licence conditions that are reasonable, proportionate, and strictly necessary for the promotion of the licensing objectives. We are aware of the need to avoid measures as far as possible that deter live music, dancing and theatre for example by imposing indirect costs of a disproportionate nature.

We will monitor the impact of licensing on regulated entertainment in the Borough, particularly on live music and dancing. If there is evidence that licensing requirements deter such activities, we will consider how to prevent it, and if necessary will change this Policy.

The Council is aware of the value to the community of a broad range of cultural entertainments, particularly live music, dancing and theatre. We wish to encourage them for the benefit of all.

The Council may seek in its own name premises licences for appropriate public spaces within the Borough. This will make it easier for people to organise suitable cultural events. We will consider any request for permission to use such public spaces for cultural activities.