

MINUTE OF THE CROSS- PARTY GROUP ON MUSIC

Online

1 September, 2020

Tom Arthur, MSP, Claire Baker, MSP
Rab Noakes (MU)
Matthew Whiteside (The Night With)
Lisa Whytock (Active)
Shonagh Stevenson (HITS)
Amy Geddes
Kirk Richardson (EIS)
Gill Maxwell (Scottish Music Centre)
Mae Murray (MEPG)
Lois Fitch (RCS)
Caroline Sewell (MU)
Kenneth Taylor (St Mary's)
Alison Reeves (Making Music)
Dougal Perman (SMIA)
Andrew Cruickshank (MU)
Nick Zekulin (NYOS)
Karen Dufour (New Music Scotland)
Nick Stewart (Sneaky Pete's)
Stuart Fleming (PRS)

Jo Buckley (Dunedin Consort)
Adam Behr (Newcastle University)
Michael Lambert (A Modern Way)
Alan Morrison (Creative Scotland)
Paul MacAlindin (Glasgow Barons)
David Francis (TMF)

HITS = Heads of Instrumental Teaching Scotland; RCS = Royal Conservatoire of Scotland; MU = Musicians' Union; NYOS = National Youth Orchestras of Scotland; TMF = Traditional Music Forum; EIS = Educational Institute of Scotland; SMIA = Scottish Music Industry Association; MEPG = Music Education Partnership Group; UWS = University of the West of Scotland; NYCOS = National Youth Choirs of Scotland; ABRSM = Associated Board of Royals Schools of Music; PRS = Performing Rights Society

Apologies:

Beatrice Wishart MSP, Jane Stanley (Glasgow University), Gordon Lindhurst MSP

Tom Arthur was delayed. Claire Baker took the chair.

1. Minutes of Previous Meeting

Approved

2. Matters Arising

None

3. Covid Matters

3a Funding

Claire Baker summarised the funds available to the cultural sector, while acknowledging that some detail had still to be finalised.

Alan Morrison: Different funds are at different stages. As members will recall from the previous meeting the Bridging Bursaries had been delivered and the Open Fund repurposed with more emphasis on sustaining creativity. The first round of the Performing Arts Venue Relief Fund has been delivered to theatres and multi-arts RFOs. Currently assessing the second stage of that fund (charities and local authorities). Deadline coming up for the Grassroots Music Venue Sustainability Fund. Comms would be coming on the large fund announced the previous week, £5m of which £3.5m will be for freelancers, £5m for youth arts, £15m cultural recovery fund which is likely to be heavily subscribed, and needs to have its criteria more clearly expressed.

Nick Stewart: There seems to be some confusion about whether or not the £97.5 million has been fully allocated.

AM: It has £31.5m of it was assigned to Creative Scotland. £26.5m went to the heritage sector. There is still £15m that the Government has not allocated.

Lisa Whytock: It's £13.3m. The Commercial Music Industry Task Force has been talking to Scottish Government to ensure that businesses that slipped through the cracks last time don't do so again. There are some serious concerns, however. There is still nowhere for the production companies to go, and that is part of the industry that really is in crisis. The other concern is for the festivals. For example, some of the festivals that are set up as Community Interest Companies (CICs) did not manage to access the third sector resilience funding, and don't know where to go. That's too important sectors that are not being catered for.

Matthew Whiteside: Concerned that classical music did not seem to be represented along with other sector bodies. How is that sector engaging with the available funds?

AM: Took steps to make sure that the Association of British Orchestras was included.

Dougal Perman: Keen to make sure that concerns from this group are taken forward, and the SMIA will do so on people's behalf.

Rab Noakes: £5m for freelancers is rather slight, especially if it's reducing to £3.5m

AM: The £5m hardship fund is one thing, the £3.5m will feed into the Open Fund, so it's more like £8.5m to cover hardship and continuing creativity, targeted to freelancers. And in fact the other £1.5 is going to Culture Collective which will aim to get freelancers embedded in communities. Replying to Lisa's point about production companies. Money that went to Event Scotland was specifically for the supply chain. Don't understand why production companies are being told that fund doesn't apply.

CB: Agree that this is puzzling. I have concerns about the time it is taking for the money for the Grassroots Venues Relief fund, announced on July 10, to reach people. Any way that can be hurried along? And when can announcements about the Grassroots Sustainability fund be expected?

AM: The Grassroots Relief Fund represented the first time that Creative Scotland had to deal with the commercial sector, so setting up the protocols for that is taking time. We have been talking with the Music Venues Trust about criteria for that, and have agreed those. We should be able to make an announcement on September 20 but that's as early as it's possible to make it.

CB: Has any extra capacity been put into Creative Scotland, because that's a lot of extra money to have to deal with?

AM: We did contract extra people last year to help with the Open Fund, and will be training them on the changes to the Open Fund, which will allow us to take it out of the regular staff's work.

Tom Arthur took over the chair.

TA: Apologies for late arrival.

Michael Lambert: Picking up the point about production companies. One of issues with the Event Scotland fund was that support from that fund was denied if any support had been obtained from any other government Coronavirus fund or local authority grants. Many of them might have had a £10k grant back in March, a small amount in terms of their actual overheads, and they're not expecting to be back working until Spring 2021. There's a huge gulf between the end of the Job Retention scheme and then.

LW: The £6m Event Scotland funding that was announced for people who have had no funding up until now was first come, first served to a maximum of £10k. The problem is that, for tax efficiency, most production companies buy their equipment on hire purchase, which makes them ineligible for Government Bounceback funds because it's seen as debt. It is, however, standard music industry practice to acquire equipment in this way. To keep going, companies are trying to sell their equipment, which means that by the time things start up again there will be no Scottish-based companies and we'll be back where we were thirty years ago, when we had to source everything in England. Production companies have to be a priority. The message that needs to be coming from this group is that we need these companies otherwise none of us can operate.

TA: Can you supply details of number of people employed, turnover, what level of support would be needed to sustain them? If I could have that I could see about bringing it up in the Chamber.

DP: 45 companies, of which 26 replied to a recent SMIA survey. FTE 133; 1575 contractors between August and March 2021; total fixed costs £277,000; total working capital required for re-start April 2021, approx. £1m. Calculating figures for the sector gives FTE 229; 2700 contractors; fixed costs £500k; re-start capital £1.6m. These restart figures are the largest along with festivals and artists. This is based on robust methodology giving us very accurate figures.

LW: The Commercial Music Task Force estimates that 44 of those companies are at risk.

TA: Do other parts of the UK offer support to production companies?

LW: Arts Council England has accepted applications from production companies. Given that there's £13.3m unallocated it would be welcomed if some of that could be directed towards the production companies.

TA: Do we know what is the market share in Scotland for Scotland-based companies?

LW: The presence of these companies in Scotland is a relatively recent thing and fragile. The knock-on effect of having to go back to hiring from down south would be significant.

DP: The companies make huge investments in equipment, through hire purchase, the largest part of their monthly commitments, yet repayments they make towards what will be an asset is not allowed under the terms of grants. It is not like other forms of debt. Most have negotiated repayment holidays, but there's only so long before those come to an end.

AM: There could be a problem here. I think the Government thought this was covered by the Event Scotland funding. The figure of £15m for culture would never have been created if they thought it had to cover this area as well. And that fund has to cover more than just music. I fear we'll have £100m demand on a £15m fund.

NS: Who has total oversight over all these funds?

AM: Creative Scotland has to disburse money according to Scottish Government wishes.

MW: Thank you for doing what you're doing.

TA: The MSPs on this committee and the relevant party spokespeople can raise these matters with the Government. We could do a letter from the CPG but a reply takes time and this is more pressing. Should we raise these issues on the floor of the Scottish Parliament at the earliest opportunity?

[General agreement]

Action Point

3b Performance Guidelines

Alison Reeves: Making Music wrote to Fiona Hyslop in July asking that the guidelines should not distinguish between professional and non-professional music performance. The DCMS had done exactly that and it was causing all kinds of challenges for non-professionals. However, SG had made the same distinction, but with contradictory advice. The overview states that non-professionals can only meet in the numbers laid down in the social meeting guidance. But then there is a paragraph that says groups can meet outdoors if they are organised (business, charity or club). So we have asked for clarification and in the meantime have issued our own guidance that groups of more than 15 outdoors are fine. We still want to challenge the professional/ non-professional distinction.

TA: We can bring it up at FMQs in three weeks when the current review period is up.

NS: [to AR] Do you know anyone who was involved in writing the guidance?

AR: Senior Arts Adviser from the Culture Division before the guidance was published.

NS: Can put you in touch with people from outside government who have been involved in drafting. The Scottish guidelines tend to be a bit behind the UK ones. So we're roughly at the stage England was when the guidelines were being driven by concert halls and large venues, which obviously doesn't apply much to commercial or community music. We need a serious update to guidance we can actually use.

Caroline Sewell: That's my perception of it as well. The intention is to bring the guidance into alignment, but now we're in the situation where the two countries are in very different places. Guidance around singing, brass and woodwind is causing a lot of confusion as well. There's a lot of work still to do.

NS: I have been working with others, experts and lobbyists, on the question of background music in bars and restaurants. If anyone would like information on that I can let you know about the state of play. [NS left the meeting at this point]

Stuart Fleming: PRS and PPL have been in correspondence with Fiona Hyslop. We really need clarification on the Scottish Government's scientific basis for banning background music across the hospitality sector. It has serious implications in terms of lost public performance revenues. Fiona Hyslop had said that they would be reviewing the situation, but when the new guidelines came out the ban had been reinforced. That is the single biggest domestic revenue stream of royalties for musicians, composers, labels.

LW: For the musicians that I represent PRS is a lifeline. On a related matter it would be good to know when the two metre social distancing rule will be reduced to one metre, and when venues will be able to open again. If they are allowed to open after 14 September then the two metre distancing rule makes absolutely no sense. For example, the Eden Court in Inverness has two spaces, one 800 capacity and one 400 capacity. With two metre social distancing they'll be lucky if they can get 130 people into the larger venue, whereas it would almost double if a one metre rule was brought in, and make two performances a day possible.

Kenneth Taylor: Back to the points about guidelines. Kids have been singing in English schools with social distancing since June, while in Scotland there's no singing in schools at all, or wind or brass, but no indication when things will change. Not allowing young people to sing seems to me to be counter-intuitive.

Shonagh Stevenson: From a HITS perspective we've got concerns about the pathway for bringing singing, brass, woodwind, piping back into schools again. We have written to John Swinney and

received a letter back from Education Scotland today to say that they are working on the next set of guidance, but we still have to refer to the original guidance.

CB: Has anyone been approached to take part in any pilot schemes? I will raise the question of pilots in the cultural sector.

TA: What we're seeing at the moment is the re-introduction of restrictions and the key driver for that seems to be social gatherings indoors. The thinking seems to be that by reintroducing these restrictions the spread of the virus can be damped down. There's a danger that the loosening of restrictions we're all hoping for won't happen.

SF: It's precisely because of the restrictions on music in hospitality venues that people are gathering in private homes, which is clearly much harder to police than gatherings in pubs and bars and restaurants.

TA: The mitigations that hospitality venues have put in place make them safer, especially now that the guidelines for these venues are now more stringent. We're dealing with unintended consequences, and it would be good to know how the thinking behind how the government is coming to these decisions.

AR: Going back to the guidance, if you're linking non-professional music making with social meeting, that means that in Glasgow people can't meet to play music non-professionally now, but they can meet for other indoor group activities – bingo, swimming, for example. There's no space for people to make music in Glasgow for the next three weeks. Why could we not meet under the same conditions as professional musicians?

TA: How should MSPs take this forward in support of the industry itself?

Nick Zekulin: Any pressure that MSPs can bring to bear would be welcome. Industry led initiatives seem to be limited in effect.

TA: My starting point would be how the government is coming to these decisions.

Paul MacAlinden: I really got some funding to put some musicians into indoor settings once that becomes possible. My argument is that I run a charity, I'm hiring professional musicians to guide the voluntary musicians, who are obviously volunteers. So as far as I'm concerned I comply with the guidelines. But for reasons that I don't quite understand musicians are being singled out.

TA: We've been discussing two aspects here: background music and indoor hospitality, and non-professional music making. On the former we can ask questions, on the latter I'm not sure what the answer is. It's frustrating that there is contradictory guidance coming from different parts of the UK, and clarification would be welcome.

CB: One of the challenges at the moment is that we need quick answers from Government and the opportunities to get those are restricted because Parliament is meeting less. For FMQs we'll probably only get one question. One thing to bear in mind is that the Presiding Officer is more likely to call a question if there has been some activity in the press beforehand.

TA: Members' business will be resumed next week, and there is a desire for more substantive topics to be raised, so there might be an opportunity there to bring up a motion on the general effect of Covid on the music sector in Scotland. If we co-ordinated our contributions, all the different areas we've covered tonight, there may be an opportunity to have a proper airing in Parliament on the record with a ministerial response.

Action Point

3c Brexit and European Touring

LW: Concerned that Brexit is slipping down the agenda. While the UK still has social distancing and no gigs, Europe is open. Bookings are coming in for Spring 2021, but the problem is we have no idea what

the complications are going to be with visas, VAT, tax filing or carnets, and it looks like we are heading for a no-deal. A lot of the discussion around Brexit is about how it's going to affect festivals in this country, without acknowledging that many touring musicians make most of their income touring internationally. That international touring is in jeopardy because of Brexit. People need to start to thinking about Brexit and how it's going to debilitate our ability to recover from Covid.

TA: There's a guarded expectation that some kind of last-minute fudge might happen, but even on an issue as significant as how will the UK internal market function there is very little to report. We're still not sure what it's going to mean for Scotland and the recent UK Government White Paper was poorly received in civic Scotland.

CS: Wanted to echo Lisa's concerns. MU's key asks is for musicians and crew to continue to tour in multiple EU territories with minimal admin and no territorial variations; no double taxation; no carnets; the ability to sell merchandise at gigs. Our petition on this has reached over 80,000 signatures.

LW: It just looks like the UK Government and the Scottish Government are not talking to each other about Brexit. One thing I've raised with UK Music Live is that the production companies need to be included in these considerations. We need to ensure that Scottish artists can continue to tour with Scottish production and not have to hire it in Europe.

Gill Maxwell: We're seeing serious problems in terms of freedom of movement, and not just from the touring point of view. It's going to affect the ability to represent musicians at events like Classical Next, have an effect on things like Made in Scotland. The creative implications are as important as the economic ones.

SF: Example of one major artist, who would normally expect to take around 110 crew on the road with them, looking to source crew from Ireland or failing that pick up local crews (with the exception of their FOH and monitor team) which represents a loss of around 100 jobs. It's catastrophic for the whole industry.

MW: We seriously need a Music Export Office for Scotland.

Karen Dufour: It would help to keep Scotland in the discourse of contemporary culture, help with cultural diplomacy. As a small organisation New Music Scotland is already stretched and to put further restrictions on what we can do, and our role in representing Scotland, would make our work more difficult.

DP: SMIA has been working on the feasibility of a Music Export Office and have a draft report ready for review at the moment, which I will share when it's ready. We're also looking at the impact and opportunity of Brexit.

MW: Is classical music represented in that research?

DP: We've looked at Export Offices from round the world and their models, and it's independent of genre, and more focused on what we can achieve across the board.

ML: Wide Days, along with Showcase Scotland Expo, is in the early stages of forming an association of music exporters, looking at shared issues, a lot of which have already been mentioned.

CB: Worth noting that the Culture Committee also has Europe in its remit, and the next thing it will be looking at is trade, and it might be worth seeing if we can include these issues as we take evidence on trade.

TA: Trade deals are a reserved matter, but we have been able to look at how trade deals are framed in multi-jurisdiction states. Countries like Switzerland and Canada tend to have a collaborative approach in developing common frameworks, but the problem is that Scotland doesn't have a direct input into

shaping trade policy. If we did have that that would be one avenue for promoting the interests of the music sector.

DF: Could this be a standing item with a monitoring brief?

[General agreement]

4. Music Education (Standing Item)

Mae Murray: MEPG is currently undertaking two pieces of research on online learning (Details in supplementary document). Should be completed in the next week or so.

CB: Is there still a lack of clarity around guidance for teaching guidance?

KD: As a wind and brass tutor, I share the hopes of other tutors that this situation might be an opportunity for local authorities to show more uniformity of approach. There is so much disparity across local authorities, and such a lot of inequity across pupil experiences.

SS: The reason for the variation is that instrumental services are discretionary and have to work within each local authority's constraints. SG guidance is that peripatetic movement has to be kept to a minimum. Each local authority then decides what is meant by 'a minimum'. It's correct to say that instructors are becoming frustrated.

Kirk Richardson: Other issues are the size of music rooms, and the fact that a lot of music rooms don't have windows or good ventilation.

CS: There is nothing specific in the guidance about private music tuition, but a general point about performing arts does state that indoor activity with children and young people which are 'not overseen by a regulator' should not start again until agreed guidance is in place, and should continue online or outdoors.

5. Other Business

No other business

6. Date of Next Meeting

Tuesday 1st December (likely to be online).

TA: The meeting after that will be the last one before the election, and a good chance to reflect on the work of the group since its inception.

ADDENDA

Report from MEPG