

Culture and Communities Committee

10.00am, Tuesday, 26 March 2019

Encouraging Live Music in Edinburgh: Music Is Audible Working Group

Item number	8.2
Executive/routine	
Wards	All
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1. Recommendations

- 1.1 The Committee is asked to:
 - 1.1.1 Acknowledge the work carried out by the Music Is Audible Working Group and to thank the group for their efforts;
 - 1.1.2 To note that almost all of the objectives of the group have been met and that the group has recommended that the short life working group be brought to a close; and
 - 1.1.3 Acknowledge the wider development to the city's music scene and infrastructure.

Paul Lawrence

Executive Director of Place

Contact: Karl Chapman, Cultural Venues Manager

E-mail: karl.chapman@edinburgh.gov.uk | Tel: 0131 228 8589

Encouraging Live Music in Edinburgh: Music Is Audible Working Group

2. Executive Summary

- 2.1 This report provides an overview on work undertaken to support live music provision in the city since November 2014. This covers the work of the Music Is Audible Working Group (MIAWG), the Council and other partners. It also refers to wider developments across the city aimed at improving the infrastructure and profile of music in the city.
- 2.2 The report notes that the MIAWG have recommended that their work be brought to a close. The non-Council members intend to establish a lobbying group dedicated to the support of live music in the city.

3. Background

- 3.1 A Live Music Matters forum was held at the Usher Hall in November 2014, in response to a request for a report from the previous Convenor of the Culture and Sport Committee to see what could be done to offer more support to Edinburgh's live music scene. The report was requested due to two main factors:
 - 3.1.1 Creative Scotland had published a national report into music provision in which venue availability was identified as an issue; and
 - 3.1.2 the closure of The Picturehouse on Lothian Road had left the city without a mid-scale touring venue for rock and pop music.
- 3.2 The Live Music Matters forum was an open event aimed at representatives of Edinburgh's live music sector. A number of issues were raised by the music sector such as provision for under 18's, rehearsal spaces, education and noise complaints. The latter was the over-riding concern for the sector with what was felt to be prohibitive licensing conditions applied to licensed premises wishing to present live music resulting in numerous venue closures or venues ceasing to present live music.

- 3.3 At its meeting of [16 December 2014](#), the Culture and Sport Committee considered the report into issues facing live music provision in the city and approved the formation of a short-life working group, MIAWG, chaired by the then Vice Convenor of Culture and Sport. The group had councillor, officer and sector representatives, and a remit to examine the most effective ways of balancing live music with the interests of local residents, within the limit of relevant legislation.
- 3.4 In the period since, the MIAWG has played an important role in creating a better environment for live music in the city, supporting changes to the city's licensing policy, maintaining links to other areas of music provision in the city as well as establishing contacts with those further afield, and building on previous work such as the University of Edinburgh Live Music Census. This has helped to provide a valuable context for live music in cities across both an economic and social perspective.
- 3.5 The music scene in the city has also undergone changes with new venues such as Leith Theatre and the IMPACT Centre coming on stream, a growing use of outdoor venues such as the Ross Bandstand and the Castle for summer concerts and Council support for music across other areas e.g. supporting the Wide Days conference, the increasing volume of rock and pop artists at the Usher Hall, hosting the Scottish Album of the Year Awards across the city, and increasing support for live events such as the Love Music Community Choirs.

4. Main report

Music Is Audible Working Group (MIAWG)

- 4.1 The MIAWG has worked across a number of fronts since its formation. One of the key issues that emerged from the November 2014 Live Music Matters forum was Edinburgh's licensing policy which stipulated that *'where the operating plan indicates that music is to be played in premise the Board will always consider the imposition of a condition requiring amplified music from those premises to be inaudible in residential property'*. A large part of the MIAWG focus was spent on addressing this and where the different constituents could try and achieve legislative change.
- 4.2 The MIAWG undertook a range of work to confirm whether this inaudibility approach was still appropriate and assess its impact and suitability, as the sector reported that current rules were not conducive to a flourishing live music and cultural scene. Following a period of research and consultation with the Licensing Forum, Community Councils and the music sector, the Licensing Board agreed to consult on the terms of its current policy on amplified music in licensed premises at its meeting on [14 March 2016](#).

- 4.3 A special hearing formed part of the subsequent Licensing Board meeting on [26 September 2016](#), where the Board heard from representatives of Community Councils, residents' associations, the MIAWG, Council Officers, trade associations and the Police, at which it was agreed to change the wording of the licensing policy as follows: *Amplified music... '... shall not be an audible nuisance in neighbouring residential premises'*.
- 4.4 The Group also scoped the wider context and enhanced initial findings through commissioning the Music Venue Trust to conduct further research, and engaged with the University of Edinburgh in setting a benchmark through a census of current live music activity in the city.
- 4.5 The MIAWG continued to examine the best way to adopt 'Agent of Change' as a planning principle to support cultural activity in the city. Agent of Change says that the person or business responsible for a change is responsible for managing the impact of that change. This means that an apartment block to be built near an established live music venue would have to pay for soundproofing, while a live music venue opening in a residential area would be responsible for the costs. A resident who moves next door to a music venue would, in law, be assessed as having made that decision understanding that there's going to be some music noise, and a music venue that buys a new Public Address System (PA system) would be expected to carry out tests to make sure its noise emissions don't increase.
- 4.6 In 2018 after consultation with, and lobbying from, the music sector across Scotland the Scottish Government agreed to adopt the principles of Agent of Change into Planning policy. The Scottish Government will include agent of change in the next revision of its national planning framework and Scottish planning policy, setting out guidelines to which it expects planning authorities to adhere.
- 4.7 The Music Venue Trust (MVT) is a charity which seeks to safeguard the future of the UK's network of grassroots music venues. It provides specialist consultancy with experience of working in other cities where tensions around live music exist, including chairing the Mayor of London's Music Venues Taskforce. The MIAWG commissioned MVT to research and present complementary approaches to the noise challenge, including alternatives to measuring sound, timings, training opportunities and a new approach to responsibilities.
- 4.8 The MIAWG supported the work of the University of Edinburgh which carried out a 'live music census' on 6 June 2015, resulting in a published report in [September 2015](#). Among many findings, it highlighted that approximately £40m is spent on live music per year contributing to its vibrant cultural status and economic impact.
- 4.9 MIAWG members have been involved in numerous debates and seminars aiming to raise awareness and support for live music, and where the Council and the sector can come together to support provision and conditions. These have included presentations at the city's annual music industry convention (Wide Days), the World Cities Culture Forum, contributing to Desire Lines strategy and objectives, and hosting events at the Usher Hall to look at experiences in other cities.

- 4.10 Following recent meetings of the MIAWG a consensus was reached that, having achieved many of the original objectives, the short life working group should be drawn to a close. In its place, the non-Council membership wishes to create an independent lobbying group dedicated to improving the conditions for live music in the city. The report seeks approval of this request and for Committee to acknowledge the work carried out to date by the MIAWG.

Music Infrastructure and Programming

- 4.11 Whilst the Committee should acknowledge that there are still challenges facing some areas of the live music sector, particularly in grass roots music provision and education, there have been significant developments relating to infrastructure and programme content.
- 4.12 The proposal for a new mid-scale music venue, the IMPACT Centre is due to be considered at the Planning Committee on 24 April 2019. Offering a 1,000 capacity auditorium plus a smaller 200 capacity space, as well as rehearsal and education opportunities, it represents an ambitious and exciting development in the city's cultural infrastructure, and, for music, the biggest capital intervention in over a century since the construction of the Usher Hall. It has strong ambitions across the spectrum – design, artistic programme, acoustic and user facilities.
- 4.13 For over two decades the need for a high quality mid-scale music venue has been voiced by many people and organisations, resulting in recommendations for such in a range of reports: the 2006 Council Review of Music Provision, the 2009 Cultural Venues Study and the [2015 Thundering Hooves Study](#). It is an infrastructural gap where Edinburgh falls behind in comparison to other cities – nationally and internationally. The significant capital investments achieved to date evidences support from all levels of government from local to UK and forms an important cultural strand in the Edinburgh and South East Scotland City Region (ESESCR) Deal.
- 4.14 Since the closure of The Picturehouse in 2013, the city has lacked a touring venue for mid-scale rock and pop music. Some of the need has been picked up by the Usher Hall and Queen's Hall but there is still a gap in provision for the 1,000-1,200 capacity venue and the city missing out on touring at this level.
- 4.15 In that time Leith Theatre has emerged as a viable music venue at the level. With catalyst events such as Hidden Doors providing a sense of vibrancy and rediscovery of a lost space, and more recently the Edinburgh International Festival's *Light on the Shore* programme, the venue has been well received by artists, audiences and reviewers. In its current state it can host events and concerts but these are all subject to individual licensing applications, making it difficult and costly to promoters.

- 4.16 The Leith Theatre Trust has been working to develop a sustainable business model for the venue. Supported by a capital investment from the Council of £1m, and funding from the Heritage Lottery Fund, it now has an ambitious capital programme and viable operating plan to undertake the work required to create a vibrant musical and community resource for the area and wider city.
- 4.17 Subject to achievement of fundraising targets and planning consent, the Trust could carry out Phase 1 of the capital programme to bring it on stream as a fully functioning venue by 2020.
- 4.18 The St Bride's Centre in Dalry, which has operated as the Acoustic Music Centre during the festival period in the past, has also seen its use extended through use by the Edinburgh International Jazz and Blues Festival throughout the year.
- 4.19 The live music sector remains buoyant, with demand for venues and artists increasing. The Usher Hall has seen significant increases in the number of rock and pop shows, with Assembly Rooms also seeing more live bands performing there. The Queen's Hall also reports demand for live music and diary pressures of meeting that demand.
- 4.20 Demand for outdoor events has also grown in the past few years with a range of high profile concerts coming to the city – Murrayfield (The Rolling Stones, Madonna), the Castle (Rod Stewart, Lionel Richie, Deacon Blue, Arcade Fire, The Proclaimers, Paul Weller) and Princes Street Gardens (Tom Jones, Bastille, Florence and the Machine, Madness) to name a few.
- 4.21 In 2019 the city, with funding support from the Council reported at the Culture and Communities Committee in [January](#), will host the prestigious Scottish Album of the Year Award (SAY) across two venues – the Queen's Hall (celebrating its 45th anniversary) and the Assembly Rooms. Since its inauguration in 2012, The SAY Award has grown to become Scotland's most popular and prestigious music prize. Developed by the Scottish Music Industry Association (SMIA) in association with Creative Scotland, the SAY Award offers one of the UK's most lucrative prize funds and champions the extraordinary strength and diversity of Scotland's musical landscape. It will be an exciting event in the city's musical calendar, especially with Young Fathers being the 2018 award recipient.

5. Next Steps

- 5.1 Subject to approval of the cessation of the MIAWG there are no next steps as a result of this Committee report.

6. Financial impact

- 6.1 There are no further financial implications resulting from the contents of this report.

7. Stakeholder/Community Impact

- 7.1 The MIA membership met and agreed that the short life working group status should come to an end.

8. Background reading/external references

- 8.1 None.

9. Appendices

- 9.1 None.