

# Fair Play Venues in Scotland

Musicians' Union UK - Work Placement  
Project Report

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## Summary of Recommendations

The research project about the Fair Play Venue Scheme from the Musicians' Union indicated the following recommendations:

1. The reaction of musicians and venues in Scotland to the Fair Play Venue Scheme is very positive and further work on it would be beneficial for the Musicians' Union UK.
2. To get more venues to sign up, more personal and time resources from the Musicians' Union are necessary!
3. Fair payment and clear communication between performer, promoter and venue are the main criteria for many musicians to feel treated fairly playing live music.
4. Because the term "fair" can be vague, further academic and industry research about it is suggested.
5. If music is looked at as a product, a fair trade and a fair price for it are essential. Live music involves people and it is hard to separate artists from their music but this distinction is imperative in the context of "fair" treatment of performers.
6. A venue's reputation and its social context have a big influence on how it is perceived by the public and by individuals. The Fair Play Venue Scheme can help to shape this image and can serve as a powerful tool for the Musicians' Union.
7. A "Fair Play Promoter Scheme" where all the "fair promoters" are listed could be a useful tool for the Musicians Union in order to help musicians to find better deals.
8. Live Music industries and especially small venues are based in a high-risk business environment.
9. The Musicians' Union has to take caution by signing up venues to their Scheme and analyse their business practices carefully in order to secure the quality.

## Project Outline

The purpose of the project was to research and support the development of the Musicians' Union Fair Play Venues Scheme in Scotland. During the project an online survey was conducted and several face-to-face interviews with venues and musicians were held. As a result, musicians were asked to recommend eligible venues and venues were asked to sign up with the Musician's Unions Fair Play Venue Scheme.

The Musicians' Union (MU) provides support to musicians across all aspects of their careers. Because musicians work in different places, contexts and genres, they often have unique requirements. The MU aims to adjust their support services where possible to best suit these needs. The practice of pay to play circumstances made the MU take action with the project Fair Play Venue Scheme launching at the Venue Day 2014 in London.

The primary aims of the placement were defined as follows:

1. To support the development of the MU Fair Play Venues Scheme in Scotland.
2. To find small venues in Scotland which are eligible to sign up to the Fair Play Venues Scheme from the Musicians Union.
3. To get musicians opinion about Fair Play Venues in Scotland.

## Music Industries Context

### The Musicians' Union

The Musicians' Union originated in different organisations and goes back to the Amalgamated Musicians' Union (AMU) which was established in 1893 in Manchester and was the first organisation for musicians to specifically label itself as a trade union. The union's early concerns focused on working conditions and rates of pay, building a base for the union's priorities through to today. The rise of rock'n'roll in the 1950's and its affects on the music industries was a challenge for the MU. The perception of the MU as out of touch with young musicians and their audiences continued to be an issue for years to come. (Cloonan, Williamson, 2012) The MU has a longstanding history of campaigns encouraging a continued emphasis on live performance, and the union slogan 'Keep Music Live' has been in use since 1965. Other issues raised by the MU early in the era of recorded music were concerns over copyright and royalties for performers, many of which are central to union concerns today with added difficulties in the digital age. Over all, the MU's aim has not changed but history shows that the union constantly had to adapt to different trends and changes in the industries as well as technological advances.

In recent years Copyright and Licensing have been major subjects for the MU. The Licensing Act 2003 and the Live Music Act 2012 have been important places for the Union to lobby in regards of their impact on opportunities for musicians to earn from live performances. For example, The Live Music Kit is a product of the MU making small venues (capacity of 200 or less) aware of the licensing exemption for them in the bill.

The MU serves a number of functions in order to support musicians: acting as a liaison between musicians, business enterprises, and the public sector. One of the MU's primary functions is to act as a representative body in liaising with governmental organizations to promote and protect relevant legislation or initiatives. Recent and continuing campaigns include Work Not Play (supporting musicians' right to be paid for performing), Creating without Conflict (against bullying at work), or Let it BEEB (campaign to help the BBC to keep their the government funding).

The MU supports individual members directly in a wide variety of ways, such as providing legal support, business advice, assistance recovering unpaid fees, providing benevolent funding for musicians temporarily out of work, and offering public liability and equipment insurance.

Due to the variety of work MU members undertake, the MU has 'sections' of which the Live Performance Section is one, which members can 'join' when they join the MU. "Essentially the Live Performance section (as with all of the sections) is vital in informing the work of the Union and helping to shape Union policy on these specific areas. The Live Performance Section deals with issues such as gigging, touring, live music venues/venues under threat and any other areas relating to musicians live performance, as well as campaigning on issues falling under this section. The Live Performance section also produces a range of resources and materials for members in this section including promulgated rates and advice on subjects such as touring, visas etc." (Sewell, 2016)

### [Live Music Industries](#)

Live music industries have been a prominent subject in recent academic and industrial discussions. Although Cloonan (2010, p.21) argues that live music remains under-researched within Popular Music Studies and more broadly.

In their report *Measuring Music*, UK Music states that the UK music industry was worth over £4bn in 2014. The live music sector makes up for 924m. Live was the sector of the music industry with the fastest GVA and employment growth in 2014, as a result of almost 26.7 million visits being made to live music events in the UK in 2014. (UK Music, 2015, pp.1-5). These numbers must be taken with caution as for example, there is no clear explication what

is included in “Live”. Furthermore UK Music calls itself a campaigning and lobbying group representing every part of the recorded and live industry. The MU is a member of UK Music, beside other industry partners. From an academic perspective I think it is problematic to state to represent every part of an industry, and it is not clearly stated how they represent every part of the industry, either. Williamson (2010, p.3) asks the same question and points out that live music can inhabit either only ticket sales, or also include sponsorship and merchandise revenues. Additionally he importantly questions the fact that the majority of the information is either collected by or for the industry itself.

On the other hand, it is an important attempt to try to give live music industries a clearer voice. The question of who is maybe overheard in this discourse is a very important one.

Live music economy extends far beyond the revenue generated from ticket sales. Technology plays a vital role in the celebration of live music events and live music is streamed, shared, uploaded, downloaded, reviewed, watched and re-watched online. (Jones and Bennett, 2015, p.ciii) This report suggests taking technology into account when talking about and analysing live music.

Williamson (2010: p.10) explains that live music industry traditionally has been organised around the interaction between artists, promoters, booking agents and venues. He argues that “while the booking agent can normally negotiate a guaranteed fee for the artist (and take a percentage for their own work), it is only the promoter who stands to lose money if ticket sales and other revenues do not exceed the costs of promoting the show – which would include the artists’ fees, venue hire, insurance and marketing. This makes live music promotion a high-risk business with a low operating margin.” This placement report will take this argument into account and therefore suggests analysing the Fair Play Venue Scheme with an eye on the fact, that live music promotion is a high-risk business. It would even broaden the argument and call the live music industries and small venues high-risk businesses.

The Live Music Act officially came into effect on October 1st 2012 and removes the Local Authority requirement for venues with an alcohol licence to purchase an additional licence for hosting a performance of live music for small venues (audiences of no more than 200 people, from 2015 this increased to 500 people). Additionally there is no audience limit for performances of unamplified live music. According to UK Music the Live Music Act will encourage pubs and other small venues to host live music events. (UK Music, 2012) The Live Music Act extends to England and Wales, only. (Legislation Government UK, 2012) “You are able to put on live music in Scotland if you have a liquor licence and they have indicated in your operating plan that you will provide live music.” (Musicians’ Union)

Additionally to all this Cloonan (2010, p.19) states, that live music is still characterised by a great deal of informality and illicit practice. With all this information in mind I went on to research Music Venues.

## Music Venues

The MU asked me to especially focus on small music venues in my research. So the question of what is a small music venue was at the forefront of my research. Venues can be categorized out of an industrial perspective and Reynold (2008) created an interesting venue typology. Unfortunately, Reynolds scheme is based around audience capacity and he does not label an audience capacity between 50 – 500 people as a music venue, at all.

On the other hand, Frith (2008, cited in Webster, 2008) categorises venues from a sociological perspective into:

1. music determined (music is the purpose of the build/rebuild)
2. music related, leisure determined, commercial
3. music related, leisure determined, non-commercial
4. useable spaces not designed or usually used for music

This research indicated that performers were faced with all 4 categories and all types of venues could be considered to join the Fair Play Venue Scheme from the MU. The most often considered venues though were music determined venues.

## Methodology

Over the duration of this project, undertaken from February to April 2016, a variety of research methods were utilized. The project was primarily self-directed, with support and supervision provided by Sheena Macdonald and Caroline Sewell at the MU's regional office in Glasgow.

The first task of the project was to investigate Fair Play Venues in Scotland- and to determine who those key figures were. An online questionnaire was sent to the 930 members of the Live Performance Section of the MU Scotland and the survey was posted on music related Facebook pages and sent to some personally known musicians. The purpose of the questionnaire was to get recommendations from musicians about venues where they felt treated well. Questions of what a Fair Play Venue consists of in the performers opinion, where and why they had a good or bad

experience, were addressed. The survey was rounded off by some demographic questions. The venues mentioned in the survey were contacted in order to sign up with the scheme whereas some of them agreed to face-to-face informal interviews. This was helpful to get an insight into the venues perspective of the Fair Play Venue Scheme.

During the whole time, online research and reading about small venues and the situation of promoter helped to draw a bigger picture of the environment small venues find themselves in. Furthermore, the organisation Small Venue Trust was contacted in order to find some common interests.

After establishing an understanding of the contemporary local small venues scene, a number of performers at varying stages in their careers were contacted in an attempt to discuss their personal experiences and perspectives. While several did not respond to the initial email contact, as anticipated, those who did reply were very helpful with their participation in an interview.

The interviews were held with the understanding that all information would be anonymous for the purposes of this report, in the hope that this would encourage interview participants to be forthright in disclosing their experiences and opinions.

The information generated by this research was investigated for common themes in order to provide suggestions to the Musicians' Union in regard to the Fair Play Venue Scheme.

## Findings

### Venue – promoter - performer relationships

First of all, it is important to keep in mind that venues deal with promoters and a lot of promoters are connected with each other. Venues usually operate on a local basis but definitely exist within a bigger picture. The massive US-based company Live Nation for example, was mentioned several times by venues and musicians as having an influence on their work practice. Therefore, the global was definitely connected with the local and vice versa.

Furthermore the promoter's role is a very important one and in many conversations with venues this turned out to be the main issue for them in order to sign up to the Fair Play Venue Scheme. A venue maybe sees itself as a Fair Play Venue but does not always control all the actions of the promoters they work with. Furthermore most venues hire out their space and leave the whole organisation of many events up to the people who rent the space. That's why this report would suggest creating a "Fair Play Promoter Scheme" or to integrate promoters in the existent

scheme. Furthermore, a research about the situation between promoters and musicians and the existing power dynamics could give useful insights into their work realities.

#### An objective perspective – about a small venue -

There are a huge variety of social groups involved in the Scottish music scene, and the image of a venue was varying depending on who was asked. There was no “musicians perspective”, but various. As my research did not focus on one genre, all types of music and backgrounds and venues were mentioned. There was not one “venue perspective” or “promoter perspective”, neither. One musician mentioned, that he used to have a good relationship with a venue for years, but now the same venue does not reply to his messages anymore. Behind a venue there are people, and if the people change sometimes the venue changes completely, too. On this account it was very difficult to look at a venue from an objective point of view. The information generated was mainly personal opinions about places and they were based on individual experiences with their own background.

It became clear that small venues, as well as promoters and musicians face difficult circumstances as the live music sector is a high-risk sector and it is not easy to make a profit in this environment. Often the selling of beverages and food would actually compensate for the music played in a small venue. It was clear that people work hard and a big passion is required to maintain a small venue. Additionally small venues stand in high competition with each other. The call for a fair payment in that environment is not always easy to pursue. The Bungalow in Paisley, for example, signed up for the scheme in February 2016, and had to close down at the beginning of April 2016 because of financial difficulties. (IQ Magazine) This is a sad example of a music venue with fair practices and their struggle to survive in a capitalistic and highly competitive environment. A reoccurring question concerned how a venue gets an image or reputation and further research about it could be useful in order to understand small music venues.

#### Outcome of Interviews

In face-to-face interviews with 2 musicians, a couple of shorter informal conversations with performers and the conversations with small venues it became clear that the Fair Play Venue Scheme is received very positively. The potential lies in the empowering perspective of the Scheme and Guide. The effort from the MU to support the development of small venues in Scotland is highly appreciated.

Another finding was that often people monetize the musician instead of the music. There is a lot of confusion involved when talking about money and music. It is mystified and artists are suddenly monetized instead of their music. A clearer understanding of music as a product and the musicians as creator of this product would be desirable.

The conversations indicated that the MU has to be careful by signing up venues to their Fair Play Venue Scheme in regards of the quality of the list. In order to take the Scheme seriously, the MU should invest in checking potential venues and their working practices. Once taken up to the scheme regular contact with the venue and their circumstances could be beneficial. Furthermore, the up-keep of a black list (negatively mentioned venues) could help to prevent that a not fair venue signs up to the scheme.

#### Fair Play Venue: getting paid and clear communication

Another problem was the term “fair”. Similarly to “Fair Trade Food” it is extremely difficult to label something with the term “fair”. The Cambridge dictionary defines fair as: “treating someone in a way that is right or reasonable, or treating a group of people equally and not allowing personal opinions to influence your judgment.” The online survey addressed the question: “What are the main criteria for you to feel you have been treated fairly by a venue?” From the 32 musicians who participated at the survey 19 musicians mentioned that being paid or being fair paid is important for them, whereas 6 specified this by the term “fee agreed beforehand”. 15 musicians showed in their answers that a good communication with the venue is essential. This includes for example a warm welcome, respect, to feel looked after and a friendly attitude towards the band. 6 musicians pronounced the sound technician/engineer as an important factor to provide a good sound. 5 mentioned that it is important for them to be paid on time, and another 5 musicians mentioned that it is significant that the venue sticks to agreements made beforehand. Several singular answers concerned things like honesty about expectations, being fed, refreshments, accommodation, promotion, protection of kit and people, safe facilities, lighting, organised staff, quality of soundcheck, time of soundcheck, a good organised event and good working conditions.

This shows clearly, that being paid is not the only concern for musicians, when they deal with venues. It is interesting how many of the answers were based around the subject of communication. If the communication between all the people involved is clear, most problems can be avoided from the beginning. For example, it is no surprise that a musician who expects to get fed is disappointed if he or she does not get fed at all. Furthermore, a research around the self-image of musicians would be interesting. Somebody answered: “I would like to be treated like a professional

and not just like I'm there to provide background music." This statement could indicate that musicians face difficulties by certain venues to be taken seriously as musicians. Or maybe the setting of a specific venue or pub is indicative to look at the performer as background music. Another person mentioned: "TV is off" which is definitely in the same area and considers being respected as a live musician. It is hard to generalize, but overall it seems very important that respect is involved in all communication.

These answers point towards the nature of music industries: There are a lot of musicians who want to be heard. There is always another musician around to replace the current musician, so why would venues put a lot of effort into treating musicians well? This answer should be carefully considered by the MU as it concerns their main goal: To negotiate fair deals for Musicians. This report suggests to look at the circumstances and context of each gig and what can be expected in what situation.

#### 34 recommended Fair Play Venues – 5 signed up –

The next question in the survey asked for names of specific venues in Scotland, which performers had a positive experience with and would recommend for the Fair Play Venue Scheme. The 32 musicians who participated at the online survey pointed out 15 venues in Glasgow (BLOC+ was mentioned twice), 13 venues in Edinburgh (The Jazz Bar was mentioned 4 times and Sneaky Pete's 3 times), 4 venues in Perth, 3 in Aberdeen, 2 in Dundee, 5 venues were mentioned from outside cities and 3 answers said there was no venue they could recommend at all. One answer pointed out, that it is the promoters concern to be fair and not the venues.

In a second step, the 34 venues with a website to access and which were mentioned by musicians as potential Fair Play Venues, were contacted by email or personal contact. The email contained information about the Fair Play Venue Scheme and an invitation to participate officially in the Scheme. The venues contacted in person turned out to be more likely to join the scheme. But as the personal resources were limited, this could not be done for all the venues. By the 18th of April 2016, The Glad Café, The Hug and The Pint, BLOC+, The Bungalow, The Lemon Tree had signed up to join the scheme and the CCA, the Old Hairdressers, Audio and Saint Luke's are currently in the process of joining the scheme. 3 of the venues responded to the email but didn't want to be mentioned in the Fair Play Scheme list as they didn't think of themselves as music venues, they didn't know what they're promoters deal with musicians were or they just did not want to join the scheme. The question of what exactly is a "music venue" came up again at this point. Many performers are working in a pub or they organise their own gigs in a space where it's primarily function is not a music venue.

23 venues did not reply to the email and 4 of them were mentioned positively as well as negatively in the survey, so it should be considered carefully if these venues can join the Scheme. In a next step, this report suggests to contact the 23 venues in person in order to potentially sign them up to the Scheme. As personal resources for this project were limited this was not possible during the timeframe allotted.

### Demographics of the participants and negative mentioned venues

The next question of the survey, concerned venues where musicians did not feel treated treat well. 9 venues in Glasgow (King Tut's was mentioned 3 times) 3 in Edinburgh, 1 in Stirling, 1 in Aberdeen, 1 in Dundee and 4 in the countryside were mentioned. 2 promoters got mentioned as not being fair and DF Concerts got mentioned twice. 9 musicians wrote that they do not know any venues where musicians get treated unfair. The venues mentioned as treating musicians unfair should be analysed carefully. During the placement no contact with the negatively mentioned venues was made but they are marked red on the MU's Venues Scheme list. The reader should be aware of the fact that the reason behind a venue mentioned negatively could also be poor communication between a venue and performer. So it is not suggested to blame a venue without a clear proof and consideration of both sides. This project was focusing on an empowering effect for venues which were treating musicians well in order to celebrate the existent valuable venues with fair practices. Therefore, this issue was not in the main focus.

64% of the participants of the online survey were male, and 35.48% were female. 70.97% of the 32 musicians were members of the MU and 29.03 were non-members. 41.94 % were full time musicians, 25.81 % earned a part-time income through music and 32.36 % earned less than 10% of their income with music.

From the 32 musicians 11 earn in average between 51 and 100 pounds for a gig. 8 musician earn between 0 and 50 pounds for a gig, 4 musicians get between 101-200 pounds, 3 get between 201-600, one person gets 2000 pounds for a gig, 3 people didn't answer the question and 2 people didn't answer with a number and explained instead that they get a split or a guaranteed fee. This shows how much the income of a musician can vary.

The same counts for the amount of gigs. The answers were incredibly varied: 11 musicians mentioned that they have 11-50 gigs a year. 6 musicians had in between 1 and 10 gigs a year, one person had no gigs and one person didn't answer the question whereas 5 people had 51-100 gigs a year in average. 5 Musicians said they have between 101-150 gigs a year and 3 people said they have 151-200 gigs a year.

As the answers came from across all genres, ages and the differing stages of careers the musicians find themselves in varies a lot. This is not a surprising result, but it has to be taken into account that with such a range of numbers the negotiation for fees seems to be a really difficult decision in a performers career.

#### Music Venue Trust –

The charity organisation Music Venue Trust was created in 2014 in order to protect the UK live music network and its immediate focus is on securing the long-term future of the grassroots iconic venues. After a short email exchange with Whitrick (2016) about the Fair Play Venue Scheme she mentioned that Music Venue Trust is awaiting a decision from Creative Scotland about funding for developing the Scottish network of venues, as they only had limited contact with Scottish venues and only 2 venues in Scotland are part of their Trade organisation to this day. She explained that they work closely with MU representatives and they will tell further venues about the Fair Play Venues Scheme at their regional meetings in Manchester, Leicester and Bristol over the next couple of weeks. This supports the argument, that personal resources from the MU would be desirable in order to get a proper venue network in Scotland. This is in a common interest with the Music Venue Trust organisation.

## Recommendations

1. The reaction to the Fair Play Venue Scheme from musicians and venues in Scotland is very positive and there is a lot of potential in it for the Musicians Union to work from this positive, empowering perspective for the benefit of Musicians and venues. Interviews with venues as well as musicians showed that the fact the MU is making an effort to support the development of small venues in Scotland is highly appreciated.
2. In order to support the development of the Fair Play Venues Scheme, to get more venues to sign up and to use the scheme's potential more personal and time resources from the Musicians Union are necessary. There are still 23 venues which have not been contacted in person and they would be a very useful resource continue work for the Scheme. As a result, venues are confronted with a spreading awareness of performers expecting to be treated fairly.
3. The online survey showed that beside a fair payment, clear communication between performer, promoter and the venue is a main criteria for many musicians in order to make them feel that they have been treated fair in the process of organising a gig in a music venue.

4. The term “fair” can be problematic from a philosophical point of view as every individual might have a different perception of its meaning in a specific context at a specific time. It is important to be aware that it is an ethical concept and it is difficult to monetize or measure “fairness”. It would be useful to conduct further academic and industry research about it.
5. If music is looked at as a product, a fair trade and a fair price for it are essential. Because live music is played by people it is hard separate the artist and their music.
6. The image of a venue and its social context has a big influence on how it is perceived by the public and individuals. Behind every venue there are people and it is hard to look at venues in an objective way as a venue changes when the people who run it change.
7. The role of the promoter, manager and agent should be looked at in more detail by the Musicians Union and the academic world because in a lot of cases they are the key liaison between a venue and an artist and their opinion about Fair Play is very important. It could be useful to start a “Fair Play Promoter Scheme” where all the “fair” promoters” are listed in order to help musicians to find better deals.
8. Live Music industries and especially small venues are based in a high-risk businesses environment. Promoters, venues and musicians all take high risks in such a fast changing and unpredictable surrounding.
9. The MU has to take caution by signing up venues to their scheme and analyse their business practices carefully in order to secure the quality.

## Conclusion

This research project has generated some interesting findings about the support and development of the Fair Play Venue scheme. Hopefully it will be of direct use to the Musicians' Union in efforts to better support musicians to find venues where musicians get treated well.

Additionally, the subject of small venues in Scotland is almost wholly un-researched within an academic context and there is a lot of potential for future research.

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