

## British Music Rights Position Paper

On: Ofcom's discussion document *The Future of Radio: the future of FM and AM services and the alignment of analogue and digital regulation*.

British Music Rights is primarily concerned with prioritising the **diversity** of music programming (as opposed to a requirement for local programming) as the surest way to a healthy, dynamic, and successful music sector and a satisfied listening public. Our comments therefore focus on why Ofcom should consider the impact on the diversity of music programming in any proposed change to regulation, and make a firm commitment to prioritise the diversity of music programming as a key outcome to any changes.

Analogue radio is and remains an absolute critical means by which music creators gain exposure, build fan bases, and advance their careers.

- For music creators, analogue radio remains a crucial route to national exposure.
- As a medium, radio has mass appeal across all age groups, with patterns of listening set at a young age. Ofcom's own survey of children showed that 71% of 8 to 11 year olds listen to radio; increasing to 85% in the 12 to 15 year old age band.
- The more airplay that artists get, the more likely success they will have in the UK, Europe and in the United States.
- *"If you don't get played, you don't have a career – it's as simple as that."* Tom Jones
- Local radio provides a vital platform for the performance of local musicians and new bands that are establishing local fan bases.

Listeners report that they want to hear a greater variety of music on general radio stations.

- An NOP World poll carried out on behalf of music creators found that more than two-thirds would like to hear a wider variety of music on general radio stations, with three-quarters of the public supporting measures to encourage more coverage of local music on radio.
- The growth in digital and internet radio reflects listeners' appetite for more diversity in music programming.

The protection of music creativity in a transitional market is crucial, both to the music sector and to its wider contribution to the UK economy.

- The UK music industry is a valuable economic commodity to the UK, currently estimated to be worth £6 billion; and a priceless cultural commodity.
- The UK is second only to the United States as a source of international repertoire; and Britons buy more music per capita than is bought in any other country in the world.
- However, if the access is squeezed and controlled by too few players then choice and competition are endangered.
- As the recent *Status Quo...?* report commissioned by the Musicians Union and the British Academy of Composers and Songwriters said, "a healthy creative economy needs diverse creativity...fostering an environment where the UK has a rich creative ecology of high quality music will facilitate our competitiveness in the broadest international market."



During the passage of the Communications Act 2003, the music industry was united in its strenuous attempts to secure the insertion of specific clauses which would have the effect of placing a duty on Ofcom to ensure diversity of music programming in radio and television as part of public service requirements. But public service requirements haven't translated into diversity of music programming in practice, as concerns on diversity with respect to format and ownership have intensified.

- There is evidence that consolidation brings a real risk that diverse music content will be lost – for example, through the application of national playlists.
- There is already a growing problem of decreasing diversity in the music played by commercial radio, with independent record companies in particular finding it difficult to get airplay for new artists and bands.

Ofcom should make a firm commitment to prioritise the diversity of music programming as a key outcome to any changes in the future.

- British Music Rights (BMR) was established in 1996 to speak on behalf of the UK's songwriting, composing and music publishing community. BMR comprises four member organisations: the British Academy of Composers & Songwriters, the Mechanical-Copyright Protection Society (MCPS), the Music Publishers Association (MPA) and the Performing Right Society (PRS).

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