

TOWN COUNCIL

DATE: 4 SEPTEMBER 2019

REPORT OF: Events, Projects and Tourism Officer

SUBJECT: PPL/PRS Licenses for the Manor House, Riverside Centre and Lawn Events for 2019/2020.

PART I

Recommendation:

To consider and approve the increased cost of PPL/PRS licenses for the Manor House, Riverside Centre and Lawn events for 2019/2020 of £3,627.09 (ex VAT).

1. BACKGROUND

Performing Rights Society (PRS) and Phonographic Performance Ltd (PPL) licenses are a legal requirement for any venue where live music is performed or recorded music is played (Copyright, Designs and Patents Act 1988). PRS license charges are the responsibility of the venue, PPL charges can be paid by the hirer or by the venue. The charges for a current year are based on the preceding year with adjustments. Both licences are administered by the Music Licence Company.

The Manor House and the Riverside Centre have been marketed as venues where hirers using music would not need to apply for their own music licences (Condition 4 of the current booking hire conditions).

In May 2018, the Council paid £2025.35 (excluding VAT) for 2018/19. An initial quote for 2019/20 was presented to Finance and General Purposes Committee in June 2019 for £3,995.34 (exc. VAT) based on figures previously supplied by the Council to the Music Licence Company. The total for each premises section of the quote was:

Events on the Lawn: £313.85;
the Manor House: £261.49; and
the Riverside Centre £3,420.

The Committee “resolved by majority to accept charges listed for the Lawn and the Manor House, but to query the excessive increase listed for the Riverside Centre.” Minute 23, 27th June 2019.

2. REVISED QUOTATION

Following the Finance and General Purposes Committee decision in June, each section of the Council’s figures for 2018/19 on which the current year’s quote was based, has been rigorously investigated. This has included: contacting individual hirers who may have used music in either the Manor House or the Riverside Centre to find out if they hold their own PPL; listing all aspects of events which had previously not be included; and making sure any exemptions which were relevant have been applied (i.e. Zumba Fitness).

Following the submission of the Council’s revised figures, the Music Licence Company has now produced a quote usage summary for 2019/20. The company will invoice the Council for payment on 5th September 2019.

3. INCREASED COST

The new quote is less than presented to Finance and General Purposes Committee in June, but the distribution of costs within it relating to the three premises has changed based on the revised figures.

The full quote is show in Appendix 1.

In summary for 2019/2020 the total cost is £3,627.09 (exc. VAT broken down as follows:

Events on the Lawn:	£1,316.36
Manor House:	£1,670.90
The Riverside Centre:	£639.83

This quotation is based on actual figures provided by the Council for 2018/2019. Any adjustments i.e. for class/session changes for the current year will be made at the time of renewal in March 2020.

4. CONCLUSION

The Music Licence quotation for 2019/20 is based on revised figures for 2018/9. The Council has a legal requirement to pay the licence.

When hire charges for 2020/2021 are reviewed, the Town Council could decide to exclude PPL from its licence at the Manor House and Riverside Centre and place the onus on the hirer to have their own. There would need to be a check in place to facilitate this. If on an inspection it was found an instructor did not have the licence in place, the liability would rest with the Town Council. Some Councils also recoup the cost of PPL/PRS from hirers through differential charging and Councillors could consider this at the same time.

Angie Weatherhead
Projects, Events and Tourism Officer.



Quote Usage Summary

THIS IS NOT A VAT INVOICE

This Quote Usage Summary sets out the music usage at the named premises for the royalty period commencing on the start date and ending on the end date set out below in respect of each applicable tariff. TheMusicLicence Terms and Conditions apply.

Licence Account	LIC-01743279
Account Description	Manor House/events/Riverside
Customer Account	CUS-01355041
Customer Account Details	Dawlish Town Council Dawlish Town Council, Manor House, Old Town Street DAWLISH EX7 9AP
Quote for Period Ending	25/03/2020

Totals

Royalties (Excl. VAT)	VAT (20%)	Total Royalties (Incl. VAT)
£3,627.09	£725.42	£4,352.51

Premises: Events, The Green DAWLISH, Devon, EX7

Society	Tariff	Tariff Description	Start Date	End Date	Details	Royalties
PPL	PPLPP002: Single and Casual Events Tariff	Single and Casual Events with Background Music	26/03/2019	25/03/2020	Average Attendance Per Occasion: 499 Total Number of Days: 11	£151.80
PPL	PPLPP002: Single and Casual Events Tariff	Single and Casual Events with Background Music	26/03/2019	25/03/2020	Average Attendance Per Occasion: 150 Total Number of Days: 2	£27.60
PRS	Tariff GP: General Purposes	Live Music Expenditure - Below Threshold	26/03/2019	25/03/2020	Main Capacity: 499 Number of Sessions: 10 Total Annual Expenditure: 5480	£536.50
PRS	Tariff GP: General Purposes	Live Music Expenditure - Below Threshold	26/03/2019	25/03/2020	Armed Forces Day Capacity: 150 Number of Sessions: 2 Total Annual Expenditure: 5480	£31.98
PRS	Tariff GP: General Purposes	Featured Recorded Music Sessions	26/03/2019	25/03/2020	Main Capacity: 499 Number of Sessions: 10	£536.50
PRS	Tariff GP: General Purposes	Featured Recorded Music Sessions	26/03/2019	25/03/2020	Armed Forces Day Capacity: 150 Number of Sessions: 2	£31.98
					Subtotal	£1,316.36

Premises: The Manor House, Dawlish Town Council, Manor House, Old Town Street DAWLISH, Devon, EX7 9AP

Society	Tariff	Tariff Description	Start Date	End Date	Details	Royalties
PRS	Tariff GP: General Purposes	Aerobic, Keep Fit & Dance Classes with capacity up to 30	24/05/2018	23/05/2019	Number of Sessions: 134	-£39.78
PRS	Tariff GP: General Purposes	Featured Recorded Music Sessions	24/05/2018	23/05/2019	Room Capacity: 100 Number of Sessions: 20	-£41.20
PPL	PPLPP222: Exercise to Music Tariff	Exercise to Music	26/03/2019	25/03/2020	Number of classes per Annum: 542	£850.94
PRS	Tariff F&D: Fitness & Dance	Fitness Classes	26/03/2019	25/03/2020	No Of Classes: 309	£516.03
PRS	Tariff F&D: Fitness & Dance	Dance Lessons	26/03/2019	25/03/2020	No Of Lessons: 233	£246.98
PRS	Tariff GP: General Purposes	Live Music - No Expenditure	26/03/2019	25/03/2020	Singalong and Mayor Xmas party Capacity: 100 Number of Sessions: 13 Total Annual Expenditure: 0	£137.93
Subtotal						£1,670.90

Premises: The Riverside Centre, Manor Row, Brook Street DAWLISH, Devon, EX7 9AG

Society	Tariff	Tariff Description	Start Date	End Date	Details	Royalties
PPL	PPLPP222: Exercise to Music Tariff	Exercise to Music	26/03/2019	25/03/2020	Number of classes per Annum: 136	£213.52
PRS	Tariff F&D: Fitness & Dance	Fitness Classes	26/03/2019	25/03/2020	No Of Classes: 9	£15.03
PRS	Tariff F&D: Fitness & Dance	Dance Lessons	26/03/2019	25/03/2020	No Of Lessons: 388	£411.28
Subtotal						£639.83