



Government response to the Digital, Culture, Media and Sport Select Committee report on the future of UK music festivals



Government response to the Digital, Culture, Media and Sport Select Committee report on the future of UK music festivals

Presented to Parliament by the Minister for Digital and
Culture by Command of Her Majesty

August 2021



© Crown copyright, 2021

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/official-documents.

Any enquiries regarding this publication should be sent to us at

Department for Digital, Culture, Media and Sport
100 Parliament Street
London SW1A 2BQ
Tel: 020 7211 6000

ISBN 978-1-5286-2847-1

E02664025 08/21

Printed on paper containing 75% recycled fibre content minimum

Printed in the UK by HH Associates Ltd. on behalf of the Controller of Her Majesty's Stationery Office

Government response to the Digital, Culture, Media and Sport Select Committee report on the future of UK music festivals

Contents

Introduction	4
Responses to the Select Committee's recommendations	5
Insurance and the Events Research Programme	5
Touring in the European Union	7
The Environmental Impact of Festivals	8
Drug Checking at Festivals	9
Secondary Ticketing	10

Introduction

The Government welcomes the report from the DCMS Select Committee's inquiry into "The Future of UK Music Festivals" (HC 49), published on 29 May 2021.

The inquiry was launched in the wake of the COVID-19 pandemic to consider what support is needed for UK music festivals to return in 2021, and to consider the economic and cultural impact of festivals across the country

The Government supported the inquiry, providing both written and oral evidence. Caroline Dinenage MP, Minister for Digital and Culture, appeared before the committee alongside a government official on 24 March 2021.

We would like to thank the Committee for the work they have undertaken throughout the inquiry and the stakeholders that have participated constructively in the call for evidence and oral evidence sessions. This process has been invaluable in contributing to our understanding of the impact of the COVID-19 pandemic on the festivals sector.

The Government recognises the significant challenges that the pandemic has created for the festivals sector, and our support to the industry has been unwavering throughout. Throughout the pandemic, the Government has put in place one of the world's most comprehensive economic responses, backed by over £280 billion for the financial year 2020-21, to protect jobs, businesses, and public services. We have supported the festival sector through generous employment schemes, grants, loans, a reduction in VAT and business rate relief.

We know the move to Step 4 will have come as welcome news to the festivals sector but we also recognise that many organisations are still in need of emergency support. This is why we announced details of the final £300 million of the Government's £2 billion Culture Recovery Fund (CRF) in late June. So far, more than £200 million has been awarded from the CRF to over 800 individual organisations describing themselves as 'music', with more than £21 million having been awarded to music festivals specifically.

The Government has carefully considered the recommendations made by the Committee in its final report. This document outlines our response to each of the Committee's recommendations. Each item put forward by the Committee is highlighted in bold, with the Government's response set out in plain text.

Responses to the Select Committee's recommendations

Insurance and the Events Research Programme

Recommendation 1

We repeat our call for the Government to introduce a time-limited insurance scheme for costs incurred by live events scheduled to take place after 21 June that may have to cancel if there is a need for, or return to, continuing COVID-19 restrictions. The scheme should run until the commercial insurance market offers sufficient cover to the events industry for COVID-19 related cancellations.

Recommendation 2

While our preference remains for a comprehensive sector-wide insurance scheme, we recommend, in the absence of such a scheme, a targeted intervention that extends the Events Research Programme and associated liabilities to a range of additional pilot events, including festivals of different sizes and genres, across the UK during the rest of 2021.

In response to both recommendation 1 and 2:

The Government recognises the challenges the events sector has been facing over the past year, and committed to consider options, including indemnity cover, to best support the live events sector if it became clear that insurance was the last remaining barrier to the resumption of activity.

Until recently, it has not been clear that insurance is the only remaining barrier to reopening, and so an insurance scheme would have been premature, and would have placed unreasonable risk on the taxpayer. We could not reasonably cover events while the remaining restrictions were still in place.

Now, however, that audiences can return, vaccines have reduced the danger of further restrictions, and with the insurance market still not providing COVID-19 cancellation insurance to events, the government has worked swiftly with the insurance industry to announce a Live Events Reinsurance Scheme.

The Government backed Live Events Reinsurance Scheme will support live events across the country - such as music festivals, concerts, conferences and business events - that are

at risk of being cancelled due to an inability to obtain COVID-19 cancellation insurance since insurers paused the sale of this cover in response to the pandemic.

The scheme will see the government act as a 'reinsurer' - stepping in with a guarantee in order to make sure insurers can offer the products that events need to take place in full and plan ahead in confidence.

The scheme will be delivered in partnership with participating insurers, with eligible events able to purchase cover for the cancellation of events due to new UK Civil Authority restrictions in response to COVID-19, alongside their standard contingency insurance policies.

We have worked closely with colleagues across government, including with HM Treasury, as well as with insurers and the events industry to carefully design a scheme that offers cover that event organisers have been calling for. We can proudly say this is one of the only insurance schemes in the world to cover such a wide array of live events and one that does not put a cap on costs claimed per event.

With the live events industry worth more than £70 billion to the UK annually and supporting more than 700,000 jobs nationwide, this intervention will support the UK's economic recovery from the COVID-19 crisis, whilst also ensuring that we deliver value for money for taxpayers.

The introduction of this scheme should also address the second recommendation to extend the Events Research Programme as outlined in the Select Committee's report. It is worth noting the Events Research Programme is a science-led programme and pilot events were chosen based on the scientific value that we expect to obtain from these events, and in order to test potential interventions.

Our intention has been to seek a variety of different settings for pilot events. The purpose of the pilot events were to gather scientific evidence associated with different settings, including approaches to managing and mitigating transmission risk, as we approached Step 4.

As part of phase three of the Events Research Programme we included two large-scale multi-day festivals, namely Tramlines and Latitude. This is in addition to Sefton Park and Download in the previous two phases.

Touring in the European Union

Recommendation 3

We recommend that the Government report to us, monthly, on actions it is taking to alleviate this issue bilaterally and with the EU Commission.

This Government recognises the importance of the UK's creative and cultural industries, not only to the economy and international reputation of the United Kingdom, but also to the wellbeing and enrichment of its people. We want musicians and touring performers to be able to tour abroad easily.

The British people voted to take back control of our borders and end free movement with the EU in the 2016 referendum. That was a key part of the manifesto on which the Government won the 2019 election and is reflected in the agreement. It was inevitable therefore that there would be changes in the arrangements under which creative workers work in the EU.

The UK took an ambitious approach during negotiations that would have ensured that touring artists and their support staff did not need work-permits to perform in the EU; however, the EU did not sign up to these proposals. Our recent trade deal with the three EFTA countries was based on the same offer, and shows it is workable and that we're fighting to help musicians and touring performers tour abroad. Our door remains open if the EU is willing to revisit these proposals.

Our focus is now on bilateral engagement with Member States, who are principally responsible for deciding the rules governing what work UK visitors can undertake in the EU. This is why we have spoken to every EU Member State about the importance of touring. From these discussions, 19 out of 27 Member States have confirmed that UK musicians and performers do not need visas or work permits for short-term tours. This includes most of the biggest touring markets, including France, Germany, the Netherlands and Italy.

We are now actively engaging with those remaining Member States to encourage them to more closely align requirements with the UK's generous rules, which allow creative professionals to tour easily here. Formal approaches have been made to each of these Member States. DCMS ministers have been speaking, and will continue to speak to their counterparts as part of these discussions, and we are working with the sector to amplify each other's lobbying efforts.

To support this focus on bilateral engagement, we have worked urgently across government, and in collaboration with the music and wider creative industries, to support

touring. This includes establishing a new DCMS-led working group, producing new guidance and gov.uk 'landing pages' to help artists and performers understand what's required in different countries, and looking carefully at proposals for a new Export Office that could provide further practical help.

The Government recognises that there remain challenges for touring and is focused on continuing to work closely with the creative industries, including to keep them informed of progress. We consider this is the most appropriate channel for communicating and updating on the actions we are taking.

The Environmental Impact of Festivals

Recommendation 4

We recommend that before the 2023 festival season the Government, the Local Government Association and representatives from across the festival sector develop standardised environmental objectives that local authorities must adopt when licensing festivals, and that local authorities should report back to DCMS on those events' progress at reducing emissions year-on-year.

The Government agrees with the Committee that in order to meet emissions targets, we should support festivals on their pledges to reduce emissions. The Minister for Digital and Culture made clear when giving evidence to the Select Committee that she believed it "is very important that local authorities make sure that they include strict environmental measures within their licensing framework". This is a proposal that the DCMS will work closely with DEFRA and MHCLG to explore over the coming months.

We appreciate the steps that many in the festivals sector are already taking to improve their sustainability credentials. Organisations such as *A Greener Festival* and *Julie's Bicycle* are playing an important role in raising the profile of sustainable event certification. The Association for Independent Festivals (AIF) have also run several high profile campaigns such as the 'Drastic on Plastic' and 'Take your Tent Home' initiatives in recent years.

Ahead of the 2022 festival season, the Government urges festival organisers to work with such organisations and continue to make progress in becoming greener. The Government will continue to examine the role it can play in improving the sustainability of events.

Drug Checking at Festivals

Recommendation 5

We recommend that, before festivals take place this summer, the Home Secretary should make regulations under section 7 of the Misuse of Drugs Act 1971 that allow organisations conducting drug checking to operate lawfully. Thereafter, the Government should introduce a dedicated licensing scheme for drug checking to set a clear legal framework and minimum standards that service providers must meet. Within the next six months, DCMS should convene a roundtable on such a licensing scheme bringing together the Home Office, the Department of Health and Social Care, police representatives, festival organisers and service providers.

The government has a strong track record on investing to tackle drug misuse through the Home Office. No illicit drug can be assumed to be safe and there is no safe way to take illicit drugs safely. The possession, supply or production of any amount of a controlled drug without a licence - where one is needed - is a criminal offence. The Government recognises that there are a number of concerns in relation to festival drug testing.

However, with regard to front-of-house testing, the Government agrees with the concerns that providers of medical services for Glastonbury and Reading festivals raised in their evidence to the inquiry that the potential unintended consequences of such testing have not been adequately assessed. Therefore, we are unable to support the use of front-of-house testing until further assessments are carried out.

However, the Government will continue to support back-of-house testing on substances that have been seized as this can provide useful intelligence and enable festival organisers and other partners to implement harm reduction measures.

Anyone interested in lawfully undertaking activities that include the possession, supply or production of controlled drugs (including in the course of drug testing services) can already apply to the Home Office for a domestic licence. As part of a licence application, individuals or the company involved would be subject to the usual considerations, visits and fees.

Tackling drug misuse requires a system wide approach, and a need to work closely with local partners. Local initiatives to improve safety and reduce drug-related harm at festivals, including social media messaging and other communications, often involve local authorities, which are supported by regional Public Health England (PHE) centres.

PHE continues to run FRANK, the national drugs website and helpline for young people, which has extensive information on drug risks and how to avoid them. FRANK news articles around the festival season cover these risks in more detail.

More generally, drugs can devastate lives, ruin families and damage communities. This Government's approach to them remains clear - we must prevent drug misuse in our communities and support people through treatment and recovery.

In January 2021, the Government announced a £148 million new investment to cut crime and protect people from the scourge of illegal drugs. This includes:

- £80 million for drug treatment services right across England to give more support to offenders with drink and drug addictions, which can fuel crime - this represents the largest increase in drug treatment funding for 15 years.
- £28 million to be invested into piloting Project ADDER (which stands for Addiction, Diversion, Disruption, Enforcement and Recovery). This project is a new intensive approach to tackling drug misuse, which combines targeted and tougher policing with diversionary schemes and enhanced treatment and recovery services.
- £40 million to tackle drugs supply and county lines and surge our activity against these ruthless gangs. This will allow us to expand and build upon the successful results of our existing £25 million county lines programme.

The Government takes a balanced approach to tackling drug misuse, which brings together police, health, community and global partners to tackle the illicit drug trade, protect the most vulnerable and help those with a drug dependency to recover and turn their lives around.

Secondary Ticketing

Recommendation 6

We recommend that the Government assesses the impact of the COVID-19 pandemic in its Post Implementation Review of the Breaching of Limits on Ticket Sales Regulations 2018, which it committed to conducting between 2021 and 2023.

The Government is committed to cracking down on unacceptable behaviour in the ticketing market and improving fans' chances of buying tickets at a reasonable price. That is why we introduced a new criminal offence for using automated software to buy more tickets online than that allowed, as well as strengthening the ticketing information requirements in

the Consumer Rights Act 2015, and supporting the work of enforcement agencies in this area.

As set out in the Explanatory Memorandum accompanying the Breaching of Limits on Ticket Sales Regulations 2018, a formal review provision is not appropriate as the regulation does not relate to business activity. Nevertheless, as with any legislation, the Government is committed to on-going monitoring to review the effectiveness of the offence and would encourage anyone with evidence of potential breaches of this Regulation to bring it to the attention of the enforcement agencies.

