

# Putting fans first

Call for evidence on pricing practices in the live events sector

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## Contents

Contents	2
Introduction	3
Scope of this call for evidence	3
Why has the government issued this call for evidence?	4
Existing law relating to ticketing pricing	5
How you can contribute	6
How to respond	6
Confidentiality and data protection	7
Questions	7
How the ticketing market works in the UK	7
Transparency and impact on consumers	8
New developments and the consumer protection framework	9



## Introduction

Live events hold a special place in the heart of millions, providing fans with unforgettable experiences – whether it's seeing their favourite artist, sports team, or theatre performance, these events create memories that can last a lifetime. The UK's live events sector has become a thriving part of our cultural landscape, driven by the passion of fans who make these experiences come to life.

The government recognises the crucial role that live events play in the lives of millions of people and the significant contribution this sector makes to the economy. In 2023, the live music sector alone generated over £6 billion, with a gig taking place every 4 minutes and major festivals, stadiums, and arena shows selling out nationwide.

As demand for live events continues to grow, so too does the need to ensure that consumers have a positive experience when purchasing tickets, free from confusion and unfair practices and with access to the information they need to make an informed decision when purchasing a ticket.

The government's objectives are as follows:

- consumer protection improving transparency and protecting consumers from misleading or harmful practices
- access improving access to live events for fans
- economic success and sustainability ensuring the economic success and sustainability of the live events sector

The live events sector has been evolving, adopting new technologies and pricing approaches including so called 'dynamic pricing' – when prices are swiftly adjusted to match demand. The government recognises that these practices are changing both how the system works and also the experiences of fans when buying tickets. It is of course crucial that consumers and fans are treated with openness, especially regarding price, so that they have the information and clarity needed to make informed decisions.

This call for evidence looks at price transparency in the live events sector as a whole. It has been published alongside a separate government consultation on ticket resale. We encourage respondents to provide evidence specific to the challenges relating to ticket resale on the secondary market in response to the consultation on ticket resale and not in response to this call for evidence.

## Scope of this call for evidence

This call for evidence focuses on how ticket pricing practices work in the live events market, the impact of current pricing practices on consumers, and whether the current consumer framework is sufficient to ensure that consumers are treated fairly.



It also seeks to gather information so the government can assess how the live events landscape is changing, whether new risks or harms to consumers are emerging and whether consumer protections need to be adapted to ensure that fans are treated fairly, while still supporting the industry to grow and innovate.

For the purposes of this call for evidence, the live events sector refers to a broad range of events, including music concerts, sports events, theatre performances, festivals, and other live entertainment experiences. It does not cover ticket sales within other sectors.

Tickets for live events are sold through a variety of means, including through ticketing platforms and event organisers on the primary market, and may also be available through the secondary resale market. Sellers use a variety of pricing strategies, which can impact the level of transparency provided to consumers during the ticket-buying process.

## Why the government has issued this call for evidence

Tickets for live events are distributed through a complex system. Tickets may be sold by event organisers or venues directly, or via primary or secondary market ticketing platforms. In some instances, venues and promoters for the same event may sell tickets through different ticket sale platforms. A clear and transparent ticketing approach is important for consumers so they can make well-informed decisions. Transparency and good consumer relations are also good for business and important for the economic success of the live events sector.

The live events sector is evolving, with new business models, technologies and approaches such as dynamic pricing and queuing systems playing a role in how tickets are sold. Some of these pricing methods have become controversial. For example, certain types of algorithmic dynamic pricing can be used to adjust ticket prices in real time based on factors such as demand, availability, or timing. Adjusting price based on supply and demand is a standard business practice, however, especially when combined, these new approaches are changing the consumer experience.

These changes have a particular impact on ticket sales in the live events sector as compared to others. This is due to the exceptional demand for popular events, the limited availability of tickets, and sales and marketing practices where tickets may be sold through time sensitive releases. This combination of factors creates a clear need to ensure transparency and fairness for fans.

While these practices can offer flexibility for businesses, they can also create potential challenges for consumers, such as uncertainty over fees, variable costs or the price structure. In some cases, consumers may invest significant time and effort, such as waiting in queues, before receiving information on the final ticket price. We are keen to explore how these emerging practices, including but not limited to



queuing systems and dynamic pricing, are impacting the consumer experience and shaping the overall operation of the live events sector.

## Existing law relating to ticketing pricing

Consumer law already provides many protections to consumers. Ticket sellers of all kinds are required to provide key information to consumers to support informed decision making under the:

- Consumer Contracts (Cancellation, Information and Additional Charges) Regulations 2013 (CCRs)
- Consumer Rights Act 2015 (CRA)
- Consumer Protection from Unfair Trading Regulations 2008 (CPRs)

For example, the law requires that consumers are made aware upfront, before purchase, of the total price of the ticket, including all additional charges such as booking or service fees. Consumers should also be made aware of important details such as their seat location and any restrictions, such as transferability or age restrictions.

The Digital Markets, Competition and Consumers Act 2024 (DMCCA) was passed during the last Parliament and is expected to come into effect in phases, with initial consumer provisions anticipated from April 2025. The DMCCA restates the CPRs and will strengthen protections for consumers.

Section 230 of the DMCCA strengthens existing requirements on the key information that must be provided by traders to consumers in order that they can make informed decisions about their purchases. It prohibits the 'drip pricing' of mandatory fees, which occurs when additional, unavoidable fees such as service charges or booking fees are added later in the checkout process, leaving consumers surprised by the higher total price that they must pay.

The new rules will require ticket sellers to include all compulsory fees in the total price of the product upfront, instead of adding them later in the checkout process. For example, if a ticket for a concert is advertised as £80 but there is an unavoidable additional £3 'handling fee', the total price for the ticket that must be displayed upfront to consumers when they first see pricing information would be £83.

There may sometimes be unavoidable fees that cannot reasonably be calculated in advance, for example, delivery fees that vary by the number of tickets selected, or whether they are e-tickets or paper tickets. Ticket sellers must provide consumers with information about how these fees are calculated such that they are able to calculate the total price. This information should be given to consumers alongside the total price when first displayed.



For example, when a ticket price is first displayed to consumers on a website, information should be provided that sets out how delivery fees are calculated (if delivery fees must be paid for that ticket). The Competition and Markets Authority (CMA) will publish guidance on these provisions and the pricing information that traders should provide to consumers.

In addition to this, part 3 of the DMCCA will give more enforcement powers to authorities to ensure compliance with consumer protection law. It enables public enforcers of consumer protection legislation to apply to court to seek monetary penalties for breaches of the law (in addition to seeking court orders that could require a business to cease a particular behaviour or take steps to remedy a breach).

The DMCCA also gives powers to the CMA to decide if certain consumer laws have been breached, require compliance, and impose monetary penalties on traders, without needing to go through the courts.

## How you can contribute

This call for evidence invites evidence on how the government and live events sector can ensure price transparency and fairness for consumers, while continuing to support an economically successful live events sector.

In particular, we are interested in:

- how the ticket pricing system in the live events market works in the UK, for consumers and businesses
- if and how consumers have been impaired by a lack of transparency in this area
- if developments in pricing in the live events sector, such as new business models and technologies, are creating new risks for consumers or gaps in the consumer protection framework

We want to receive evidence on these issues from a wide range of perspectives including those of fans, the live events sector, ticketing platforms, and other interested parties, such as consumer groups and enforcers.

#### How to respond

The call for evidence will run for 12 weeks, closing on 4 April 2025. Please refer to the questions provided in this document to guide your response. Submit responses through <u>this online form</u> wherever possible or by email to ticketing@businessandtrade.gov.uk.

The government asks respondents to note that this call for evidence is focused on price transparency and pricing practices within the live events market. While a separate consultation addresses the wider secondary ticketing market, we welcome



any relevant feedback on interactions between primary and secondary markets if respondents consider it important.

Respondents are invited to submit their views on the topics raised in this document and may also share broader insights into pricing practices, new technologies, or business models affecting price transparency in the live events sector.

#### Confidentiality and data protection

Information you provide in response to this consultation, including personal information, may be disclosed in accordance with UK legislation (the Freedom of Information Act 2000, the Data Protection Act 2018 and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please tell us, but be aware that we cannot guarantee confidentiality in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not be regarded by us as a confidentiality request.

We will process your personal data in accordance with all applicable data protection laws. See our <u>privacy policy</u>.

We will publish a government response on GOV.UK. This will include a list of names or organisations that responded, but not people's personal names or other contact details. If you do not wish the name of your organisation to be included, let us know when you submit your response.

#### Questions

We are seeking evidence from a broad range of individuals, fans, businesses and organisations. Respondents may decide to answer some questions but not others. Where applicable, be specific and indicate where evidence relates to specific types of events, for example music, sports, theatre and/or different scale events.

We anticipate that some questions are primarily relevant to businesses and organisations operating in the live events sector, but we would particularly welcome fan perspectives too.

## How the ticketing market works in the UK

The government is seeking information on how the market for live events tickets currently works with respect to pricing strategies. As we have noted, there are several different actors in the market - such as venues, event organisers, promoters, artists, ticketing platforms and re-sellers – which influence how pricing is approached. We are keen to gather information on the respective roles of each.



In particular, we are interested in how tickets are marketed and sold, which actors and factors determine these strategies and how key information, such as price and how to buy tickets, is communicated to fans and consumers at different stages of the ticketing selling and buying process.

Question 1: Outline key changes to how tickets are priced, distributed and sold to consumers in recent years, for example on stages of release (such as pre-sales), any changes in role for different actors and pricing strategies (such as dynamic pricing) and use of technologies.

- i. Fans/consumers: Has your experience of buying tickets changed either for better or worse in recent years?
- ii. Give examples of good or bad practice where relevant.

Question 2: To what extent do consumers find it beneficial when primary tickets are available across multiple ticketing platforms? We are interested in understanding if this approach improves consumer access, reduces queue times, affects pricing transparency, or provides a better overall purchasing experience.

Question 3: Are there structural features of the live events market in the UK which impact on consumer experience and consumer choice?

i. Specify how this relates to market structure or integration in different parts of the live events sector.

## Transparency and impact on consumers

Attending a live event can be a special experience for fans and a number of factors inform whether an individual will or can go to an event – including, crucially, the price. Existing consumer law already requires that the ticket price is transparent and visible to consumers. However, feedback from some fans - particularly in the light of dynamic pricing practices - has called into question how transparent the price and process for buying tickets really is.

Fans have raised concerns over being presented with insufficient information about the process for buying tickets, experiencing confusing long queuing systems and then as a result feeling pressured into purchasing a ticket soon after the full ticket price is eventually known. The government is seeking information on whether and how price transparency for consumers and businesses is working in the live events sector.

#### Question 4: Are consumers provided with sufficiently clear information about how and where they are able to purchase tickets for live events ahead of a sale?



- i. Describe how different websites, platforms or search engines play a role in informing consumer choices.
- ii. Fans/consumers: When purchasing tickets, are you clear on who you're purchasing tickets from, for example is it the event organiser, a reseller or other?

Question 5: Are consumers provided with sufficient and clear information about ticket prices, including any additional fees, such as service charges or booking fees, when they are purchasing tickets on a ticketing sale platform?

- i. How, and at what point, are consumers provided with information about different and changing prices, included the use of tiered pricing, and dynamic pricing?
- ii. Provide details if there are specific improvements that could improve transparency and clarity.
- iii. Fans/consumers: When do you normally see the total price (including all unavoidable fees), for example, at the end of the checkout process, or when the price is first advertised to you on a website?
- iv. Provide details you think are relevant, including examples of good practice, and where improvements could be made to improve transparency and clarity.

Question 6: Are consumers provided with clear information about other elements of the ticket, for example, refund policies, restrictions on resale or transferability?

- i. Provide details on when and how is this information made available.
- ii. Provide details on this, including examples of good practice, and where improvements could be made.

## New developments and the consumer protection framework

As noted above, there is an extensive framework of consumer law which gives consumers rights when buying tickets. The government is seeking perspectives on whether this framework is operating adequately, and where it could be strengthened, improved or simplified.

Question 7: Are developments in business models and the use of technologies (for example queuing systems or use of algorithms/AI) creating new risks for consumers?

- i. If so, what are these risks?
- ii. How might consumers be better protected?



Question 8: Are there specific risks to consumers associated with large scale live events with a high demand, that are not present in lower demand smaller events or other sectors?

- i. Provide details on these risks
- ii. If applicable, provide suggestions on how these risks could be addressed

Question 9: How else could the existing consumer protection framework be made more effective?



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