

This report will be made
Public on 18 February 2022

Hythe Town Council

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Report number **F&GP/32/21**

To Hythe Town Council
Date 17 February 2022
Status **Non Exempt**
Responsible officer **Town Clerk**

Subject **PPL PRS PERMIT LICENCE REPORT F&GP/32/21**

SUMMARY: This report sets out the reasons for committee to discuss the requirement for a permit licence for the playing of Live Music in council buildings and on council owned land and asks the committee to review as best practice.

REASON FOR RECOMMENDATION:

The Committee is asked to agree the recommendations set out below because;-

- a) The Council is committed to control and manage its financial affairs in accordance with The National Association of Local Councils (NALC) guidelines.

RECOMMENDATIONS:

- 1. To receive and note the report F&GP/32/21**
- 2. To instruct the Town Clerk to apply for the necessary permit licence.**
- 3. To vire the funds £2352.48 from unallocated reserves to pay for the cost of the licence.**

INTRODUCTION

The Phonographic Performance Limited (PPL) Licence and the Performing Rights Society (PRS) are separate organisations who license different sets of rights in the use of music covers.

PPL licenses the use of recorded music when played in public, broadcast on radio or used on the internet, on behalf of record companies and performers.

Music licensing is intended to ensure that the owners of copyrights on musical works are compensated for certain uses of their work. A purchaser has limited rights to use the work without a separate agreement

When playing copyrighted commercial music such as Elton John, Coldplay etc either via CD, laptop or radio e.g. Radio 2, then a licence fee must be paid to cover the PRS and PPL. This is an annual cost as the licence needs renewing.

Music that is played outside of a domestic environment is classed as a public performance.

Playing or performing music without the appropriate licence could amount to copyright infringement which may then lead to legal action for copyright infringement.

Hythe Town Council used to pay for the licence but there is no record as to why this was not continued. Officers have since contacted the PPL PRS venues Licensing organisation to confirm that a licence is required.

A quote has been submitted (Appendix A) to cover classes and live music sessions at both the pavilion and bandstand throughout the year.

SUMMARY

It is recommended to apply for an annual licence of £2352.48 plus vat to cover events on the Bandstand and the classes at the Pavilion, South Road.

RISK MANAGEMENT

A summary of the perceived risk follows;

Perceived Risk The council do not acquire a permit licence to play live music on their property and in public and is fined for copyright infringement.

Risk Low

Likelihood Low

Preventative Action Council instructs the Clerk to purchase a permit licence to cover all events.

CONTACT OFFICER

If you have any queries about this report, please contact The Town Clerk and the Responsible Financial Officer of the Council

Tel: 01303 266152 or email clerk@hythe-tc.gov.uk prior to the meeting.