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Dear Colleagues,

I am grateful to the Earl of Glasgow for having initiated our debate on the theatre market. It is clear this is a wide-ranging topic, and I am grateful to all peers for their thoughtful and impassioned contributions to the discussion.

As I said in the House, so many pertinent questions were raised during the debate that I could not respond to all of them in my speech, and so I undertook to write to all peers to address the questions that I could not speak to at the time.

Our debate recognised the importance of theatre and the performing arts in this country, and the great success the sector has enjoyed for decades, if not centuries. I want to indicate my agreement with the words of Lord Foster of Bath, that there is indeed much to celebrate in the theatres of this country. But peers were also quite right to be concerned that the ongoing commercial success of theatres in this country should go hand in hand with an ongoing commitment to improving access to the theatre for all.

Lady Flather raised concerns about whether theatres, particularly historical Victorian theatres, are appropriately accessible to disabled audiences. It is quite right to raise concerns of accessibility to theatres. As Lord Foster said, a number of theatres have invested in improving their facilities so that they are more accessible, which I welcome, but I agree with Lady Flather that there is more to be done. It is the responsibility of all theatres not just to ensure their programmes include a broad range of material that will appeal to a wide audience, but that their physical spaces are accessible.

Government also has a role to play, which is why it is important that I highlight the work of the DWP Disability Champion for Arts and Culture, Andrew Miller. Since Andrew was appointed in 2018 he has worked tirelessly. He has brought together key arms-length-bodies across the UK, including the arts councils, to further accessibility in the arts, including exploring how funders of the arts can work with cultural institutions to ensure that anyone with physical support needs is able to visit. If any Peers are interested in hearing more about Andrew's work, my officials would be happy to put you in touch directly.

Arts Council England continue to support their funded organisations to make decisions based on fairness and access and do so through their Creative Case for Diversity, and

their funding of so-called “sector support organisations”. This includes organisations like Vocaleyes, who work with cultural organisations to include and engage blind and partially sighted audiences in their work and Attitude is Everything, who support the sector by developing access and inclusion for Deaf & disabled artists, audiences, employees & volunteers, working primarily with the music industry.

Many peers, in particular Lord McNally, asked for more information about what the Government has done to take action on abuses of secondary ticketing, which can lead to prices being unfairly high, and in particular, to respond to the Waterson Review. Since Government welcomed the Waterson Review in 2016, Government has been strongly supporting the work of the Competition and Markets Authority (CMA) in investigating potential breaches of consumer law in the ticketing market, which has clearly been bearing fruit.

Peers will note that Government’s policy on secondary ticketing is jointly owned by DCMS and BEIS, with BEIS leading on policy for consumer protection and its enforcement, and DCMS leading on the specific area of secondary ticketing for DCMS-related events. The departments’ joint aim is to improve consumers’ opportunities to buy tickets for events, whilst ensuring there are no unintentional consequences for the operations of the events sector and primary and secondary ticketing market.

Peers also asked whether the Government has looked into specific secondary ticketing abuses, in particular tickets in the West End and tickets for productions at the National Theatre. It is for the enforcement agencies, in particular the CMA, National Trading Standards (NTS), and the advertising industry’s own regulator the Advertising Standards Authority (ASA), to determine which secondary ticketing abuses they will prioritise, but I want to reassure peers, that the Government is very supportive of the enforcement agencies work in this area

In particular, the NTS is being given approximately £15m annually by BEIS for national and cross boundary enforcement. The organisation has committed to use this funding to take forward investigations and potential enforcement cases against so called “power sellers” - recent announcements on successful enforcement action against these sellers have shown that this work is progressing.

Following NTS investigations, it was announced in October 2018 that the individuals behind three UK-based ticket touting outfits are facing charges of money laundering and breaches of consumer rights law.

In November 2018, the CMA announced that it had secured agreement from viagogo that it would comply with UK consumer law, and that it would carry out a comprehensive overhaul of its website to do so. This was to come into effect from 17th January this year and bring the platform into line with similar websites who have already voluntarily accepted binding commitments. On 5th March, the CMA announced that as viagogo was still not compliant with the court order, it will be taking legal action to find viagogo in contempt.

I hope peers will agree that recent announcements of enforcement action by these agencies demonstrate that Government are prepared to go after those who flout the law or abuse the ticketing market.

Government has also been working with all parts of industry in support of this agenda, including the Society of Ticket Agents and Retailers, the trade body for ticket agents and

retailers, which many noted theatres are a part of, to ensure they are doing what they can to address abuses in the ticketing market.

Moving on from secondary ticketing, during the debate I was pleased to join peers in highlighting some examples of theatres that produce outstanding work outside of London. Many peers asked for more information about what government is doing to support the growth of our regional theatres. I know that increasing the amount of support they provide for regional cultural organisations is a priority for the Arts Council, and I was pleased to see that their 2018-2022 National portfolio invests over £235million in a wide variety of theatre organisations, including venues, touring companies and producers, who all play a part in delivering regional theatre.

In addition to their core funding, the Arts Council have provided strategic funding focused on supporting regional cultural organisations. The Cultural Development Fund is a good example of this. This is a £20million fund that supports regional towns and cities to implement transformative culture-led economic growth by investing in place-based cultural initiatives, making places more attractive to live, work and visit. In January 2019, the Secretary of State for Digital, Culture, Media and Sport, Jeremy Wright, announced five successful projects for the first round of funding in Plymouth, Wakefield, Worcester, Grimsby and the Thames Estuary.

Whilst this fund is focused not only on theatre, peers will understand already that investments in the cultural ecosystem of places that bring more people to visit cultural attractions and support the creative sectors will have benefits for all of the significant cultural organisations in that place, such as theatres. I am confident that this fund will help to grow regional theatres in the towns and cities that were successful in bidding for this funding.

In addition to this work, I am told Arts Council England has also recently confirmed funding of £3million to fund two pilot 'Producing Hubs', via their Project Grants programme, with the aim of strengthening talent development and production capacity outside of London.

During the debate, the Bishop of Coventry asked whether the government will encourage the Arts Council to support community venues, such as amateur theatres, church theatres or community centres. The Arts Council's flagship Creative People and Places programme has seen a number of theatre productions tour to venues that are not traditionally associated with the arts, for example working mens clubs, pubs and community centres, are making theatrical experiences more accessible in areas where there is least engagement.

Since the debate took place, Arts Council England have published a draft of their next ten year strategy for consultation. I was pleased to see that the strategy emphasises the Arts Council's continued commitment to supporting communities across England to lead rich cultural lives, and their wish to work with a wide range of partners to bring rich cultural activity into the heart of all communities in England. I would urge peers to encourage interested parties to respond to this consultation with their views.

It was also encouraging to hear so much support for Coventry as the next UK City of Culture, in particular from the Bishop of Coventry, who asked specifically for my thoughts on the work Coventry are doing to build an evidence base around how best to increase participation. I understand that the Coventry City of Culture Trust, which is the body responsible for delivering City of Culture, are working closely with the University of

Warwick and Coventry University on creating a research framework to develop a comprehensive impact study on all of the activities which take place during their year as City of Culture. I am told that the evidence from this study will help provide best practice for cultural organisations and towns and cities across England, and internationally, and I applaud the work that Coventry are doing. I am sure other cities will learn from their successes.

On the theme of evidence, Lord Foster asked me some very thoughtful questions about what data the government collects on audience participation, and which programmes are most successful at broadening participation, and I undertook to respond in detail. I can reassure him that the Government, and the Arts Council, both collect a significant amount of data related to this issue, although it is a challenging area, and there is more to be done to improve our collective understanding of what works most effectively.

The Government has been collecting and publishing data through the "Taking Part" survey annually, which provides a snapshot of participation in the arts and sport from across England. The Arts Council England requires their National Portfolio Organisations to report on what they are doing to contribute to the Creative Case for Diversity and, collects significant amounts of targeted data from the largest organisations it funds.

In addition, the Arts Council invests £750,000 per year in Audience Finder, a national data driven tool that helps the cultural sector better understand audience behaviours, experiences and demographics. They have since made it a mandatory requirement for all funded National Portfolio Organisations in the 2018-22 portfolio to contribute to Audience Finder by January 2019 and it has been actively supporting arts organisations to help ensure they use the tool effectively.

ACE also invests £575,000 per year in the Impact and Insight Toolkit, a tool that helps the sector evaluate the impact of their work on the people who experience it. The toolkit builds on the audience data acquired from Audience Finder and provides information around what people think about different types of work. Launched in October 2018, 337 National Portfolio Organisations are signed up.

During my speech, I spoke briefly about the hugely positive role the Culture is Digital project has played in putting more performances online and therefore making them accessible to a much broader audience. One aspect of the Culture is Digital project I did not mention is that through improving the digital skills of cultural organisations, the project has aimed to improve organisations' ability to collect and analyse audience data. Through better data analysis, organisations can develop more sophisticated approaches to improving audience engagement. I'm sure peers will join in recognising the importance of this innovative work.

Some questions regarding business rates were raised, both from the Earl of Clancarty and Lord Foster of Bath. I have sought answers from across Government. At this time, the Government has not made a detailed assessment of the effect of business rates on theatres in England. However, peers will most likely know that the Government has taken repeated action to reduce the burden of business rates for all ratepayers. Reforms and reliefs announced since Budget 2016 are, together with the new retail discount, reducing rates by more than £13 billion over the next five years. Peers will note the enquiry into business rates currently being conducted by the Commons Select Committee, which will no doubt be of interest when published.

Lord Foster of Bath also raised a question regarding whether Government was able to confirm that public-funding is in line with the VAT Government receives from these organisations. I have sought answers from across Government and I have been made aware that information on particular types of supplies such as theatrical services is not available from VAT returns, and therefore the Government does not hold the data required to respond to Lord Foster. HMRC have confirmed that it does not require this level of detail because it would place a considerable administrative burden on businesses.

Many peers emphasised the importance of working with young people, in particular young people from disadvantaged backgrounds, and supporting them to develop a love of the theatre. The Government is committed to ensuring that every young person receives a broad and balanced curriculum, of which creative education is a key part. On this basis, I welcome the Department for Education's ongoing investment in cultural education programmes, which amounted to almost £500m of funding between 2016-20. Lord Wasserman also highlighted the importance of philanthropy focused on supporting young people to access the theatre. I strongly welcome all of the work undertaken by organisations such as the Hamlyn Trust in this area and hope that more philanthropists will invest in programmes similar to the Paul Hamlyn Christmas Treat.

I also know that the Government is interested in exploring what more it can do to instil a love of the theatre in young people. That is why DCMS launched 5 Youth Performance Partnerships earlier this year, committing £5million to 5 place-based partnerships that will link schools with cultural organisations, and help young people, in particular those from disadvantaged backgrounds, to take part in drama and dance. These programmes will hopefully inspire many young people to be the theatre makers, and theatre audiences, of the future.

It was clear from our debate that we all share a commitment to ensuring that the theatres of this country continue to be a vital presence in the cultural landscape of the UK.

I hope you find this information helpful. A copy of this letter will be placed in the library and sent to all Peers who spoke. I am also copying in Lord Ashton of Hyde as the minister for Digital Culture Media and Sport.

With best wishes,
James

VISCOUNT YOUNGER OF LECKIE