



MUSIC IS NOT NOISE

Any future environmental noise regulation must safeguard the cultural rights to live music and artistic freedom.

**LIVE
DMA**

Live DMA is the European network of live music associations representing over 3000 live music venues, clubs and festivals in 15 countries. Based on an ethical charter promoting cultural, social and economic diversity, Live DMA produces resources, exchanges and represents its members with the collective voice in a general interest perspective.

ABSTRACT

This paper provides guidance for the drafting of a good urban policy in relation to live music. The recommendations come from a working group comprising live music experts from across Europe who worked together in Antwerp and Madrid to lay out the statement 'Music is Not Noise' and qualify this with facts to illustrate the argument and why it is important.

LIVE MUSIC IS AN IMPORTANT ELEMENT OF EUROPEAN HERITAGE AND CULTURE AND MUST BE SUPPORTED. ANY LEGISLATION THAT INHIBITS LIVE MUSIC IN EUROPE SHOULD BE AVOIDED.

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Considering that respect for diversity and cultural rights is a crucial factor in the legitimacy and consistency of sustainable development based upon the indivisibility of human rights [...], states and other actors in the public sector must, within the framework of their specific mandates and responsibilities: Integrate the rights recognised in the present Declaration into their national legislation and practice; [...] strengthen the means of international cooperation necessary for this implementation, in particular by intensifying their interaction within the relevant international organisations.¹

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International organisations must, within the framework of their specific mandates and responsibilities: Guarantee that cultural rights and the cultural dimensions of other human rights are systematically taken into consideration in all of their activities. Ensure that cultural rights are consistently and progressively integrated into all relevant instruments and monitoring schemes. Contribute to the development of common transparent and effective mechanisms for evaluating and monitoring.²

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Based on the supra-legal Declaration of Cultural Rights and the latest cultural policy developments towards the music sector at the European level, Music Moves Europe, we can affirm that **music, including all music genres, forms a major part of our culture, and thus Human Rights.**

Live DMA states unequivocally that **music is not noise**. Across different sectors and nations, there are varied definitions of the related terms noise, sound and music. Those terms also have different cultural associations depending on the language they are in. Some of the definitions are informed by whether particular noises or sounds are a nuisance, for instance, “is noise a nuisance?”, “is sound a nuisance?”. The answers to those questions are **subjective**. They depend on the specific context of any instance of noise, sound or music, the intent in its creation, and who the receiver is. However, it is clear that **music is sound which is made on purpose** and is not the by-product of another activity.

Upon request of the Member States in the European Region during the 5th Ministerial Conference on Environment and Health (Parma, Italy, 2010), the World Health Organisation (WHO) published in October 2018 the report “Environmental Noise Guidelines for the European Region”³. This report goes beyond the requested scope (transportation noise sources, personal electronic devices, toys and wind turbines), and undertook also to study a concept named **“Leisure Noise”, in which they include “nightclubs... concerts or live music venues”**. We argue that this categorisation of music as noise is incorrect.

1 Article 11 Fribourg Declaration Cultural Rights - https://culturalrights.net/descargas/drets_culturals377.pdf

2 Article 12 Fribourg Declaration Cultural Rights - https://culturalrights.net/descargas/drets_culturals377.pdf

3 Environmental Noise Guidelines for the European Region (2018) - http://www.euro.who.int/_data/assets/pdf_file/0008/383921/noise-guidelines-eng.pdf?ua=1

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Music constitutes an important pillar of European culture and is probably the cultural and creative sector with the largest audience reach. It is an essential component of Europe’s cultural diversity and it has the power to bring positive changes to many levels of society.⁴
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Additional sound regulations would specifically endanger artistic freedom and diversity of certain music genres where loudness is an integral part of the artistic and cathartic process of the performance and live experience. Audiences should have the freedom to make individual **informed choices** to experience music without limitations, whether that be industrial techno, heavy metal, orchestral music, drone, grime, or any kind of artistic music expression.

Local music scenes, in particular, are the research and development department of the music sector and are **a crucial part of Europe’s music talent pipeline**, but they are particularly vulnerable to increases in costs, and **despite their importance in the cultural ecosystem, cannot be expected to survive the onerous costs of complying with new regulations**, especially if these regulations are unachievable, unhelpful or misguided.

Moreover, **music is not only leisure or entertainment**. Music is a cultural activity and is imbued with meaning. Music is understood to be a social construct, and its associated activities and rituals, including dance and storytelling, have **greater value** than leisure alone.

Live DMA agrees where the WHO Guideline Development Group (GDG) “recognises that going to concerts [...] are activities regarded as enjoyable and therefore assumed to be valued by the overall population. Some population groups – especially younger individuals – might **voluntarily expose themselves to high levels of sound** during these activities.”

However, their comprehensive study, in its section on “Leisure Noise”, **cannot cite enough qualitative evidence** on hearing loss or sleep disturbance related to “leisure noise” in order to formulate a set of consistent regulatory recommendations for live music venues, clubs and festivals.

The WHO did not identify “any harms arising from the implementation of the recommended guideline values”. This myopic view of the importance of live music as a prized cultural activity permeates their report and is indicative of its narrow scope. The report also lacks to describe the health benefits of live music. **Social and cultural interaction are intrinsic to wellbeing**, and it is insufficient for WHO to only note that these activities are “regarded as enjoyable”.

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The social dimension highlights the potential of culture and cultural diversity, social cohesion and social well-being.⁵
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4 Music Moves Europe – DG Education and Culture - European Commission - https://ec.europa.eu/programmes/creative-europe/actions/music-moves-europe_en

5 European Commission (Brussels, 22.5.2018): A new European Agenda for Culture (Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, SWD 2018/167 final) - https://ec.europa.eu/culture/sites/culture/files/commission_communication_-_a_new_european_agenda_for_culture_2018.pdf

Live music organisers are experienced professionals who demonstrate a duty of care to their staff, artists, audience and neighbours. They work within existing national frameworks to protect the hearing of staff, performers and attendees, as well as avoiding nuisance to their neighbours. However, **they also face many challenges when it comes to sound management:** urbanization and densification, expensive soundproofing or audio technologies, unenforceable laws are some of the main factors. Additionally the challenges for young venue newcomers and new artists, the “resource of our future European culture” is completely not taken into account.

Although several research papers describe the social benefits of music in our lives to the fore, **the increasing quantity and complexity of rules for live music organisers tend to restrict and inhibit rather than support this valuable cultural sector.**

The WHO report on environmental noise makes **no mention of the inhibitive effects that its recommendations could have upon live music culture,** a culture that must be supported.

European citizens demand live music, and this demand must be met by appropriate music policies which ensure healthy communities, in terms of vibrancy, diversity and freedom of expression. Live music venues, clubs and festivals play an **important role** in this ecosystem. From local musicians’ performances to major events such as festivals, they are the social gathering places where people can easily meet and enjoy a large range of diverse artists.

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*Those who had attended a cultural place or event in the previous twelve months were almost 60 per cent more likely to report good health compared to those who had not [...] Participation in a creative or cultural activity shows similar benefits: those who had done this were 38 per cent more likely to report good health compared to those who did not, but that figure rises to 62 per cent for those who participate in dance [...] The findings are consistent with a growing body of population level studies on the impact of engagement in culture on key quality of life measures.*⁶
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Live music, as a social and artistic activity, can improve wellbeing. In our changing societies, often connected through digital technologies, rates of loneliness are growing. By contrast, **at a live music event, people interact with others and share a social experience.** As a result, participants experience increased levels of personal happiness and self-esteem.

The European, national and local authorities should **support** and **work continuously together** with live music associations to actively encourage artistic development instead of stifling it. Live DMA recommends building **partnerships between the public and private sector** to safeguard live music in Europe.

Communities all over Europe have developed methods and policies to balance the needs for live music and the environment. **We recommend that communities exchange this knowledge with each other, preferably through existing networks.** Policy makers and the live music sector need to **collaborate as equal partners** in order to produce good live music policies and should set up formal and informal platforms to enable this exchange.

We recommend working together from beginning to make live music venues, clubs and festivals a part of the city plan.

⁶ Report by the Scottish Government quoted in Arts Council England’s ‘The Value of Arts and Culture to People and Society’ 2014 - https://www.artscouncil.org.uk/sites/default/files/download-file/Value_arts_culture_evidence_review.pdf

LIVE DMA MEMBERS

- ACCES (Spain)
- ASACC (Spain - Catalonia)
- Clubcircuit (Belgium - Flanders)
- Court-Circuit (Belgium - Wallonia)
- Collectif Culture Bar-Bars (France)
- Dansk Live (Denmark)
- FEDELIMA (France)
- Hanzas Perons (Latvia)
- KeepOn Live (Italy)
- Kultura Live (Spain - Basque Country)
- Live FIN (Finland)
- LiveKomm (Germany)
- LOFTAS (Lithuania)
- Music Venue Trust (UK)
- NKA (Norway)
- PETZI (Switzerland)
- Salon IKSV (Turkey)
- Svensk Live (Sweden)
- VNPF (Netherlands)

PARTNERS

- MONICA (Horizon 2020 project)
- AGI-SON (France)



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Research on music benefits for health

- Effects of Meditation versus Music Listening on Perceived Stress, Mood, Sleep, and Quality of Life in Adults with Early Memory Loss: A Pilot Randomized Controlled Trial by Kim Innes, Selfe Terry Kit, Dharma Singh Khalsa, Sahiti Kandati, USA (2016)
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Resource & Inspiration

- Regulatory - The Agent of Change – by Music Venue Trust
- Advocacy - Night Ambassadors – examples with Club Commission Berlin, Night Council in Zurich, Night Mayor in Amsterdam, and Plateforme de la vie nocturne (fr).
- Urban planning - Club Kataster in Hamburg – by Club Kombinat (more information available here) and the Music Cities Manual by Sound Diplomacy
- Networking - Forum and events such as Stadt Nach Acht and NIGHTS
- Soundproofing - EU H2020 innovation action MONICA; Lärmschutzfonds Berlin; Barcelona City Council Subsidies for sound investments for live music venues
- Prevention Tools, campaigns and trainings from Agi-Son, a dedicated French organisation.

Find out more about Live DMA

- Live DMA organises working group sessions to discuss important topics such as sound regulation with its members and empower them at local and national level >> <http://www.live-dma.eu/live-style-europe/>
- Live DMA also provides free and public resource such as on sound regulations in Europe >> <http://www.live-dma.eu/sound-regulations-in-europe/>
- Every year, Live DMA compiles data about music venues in Europe to inform music stakeholders, politicians and public authorities about the important role of live music venues in terms of diversity, employment and economy >> <http://www.live-dma.eu/the-survey/>
- Artists speak up to #SupportYourLocalMusicScene >> <http://www.live-dma.eu/what-artists-say/>
- Live DMA advocates for the live music sector in Europe in partnership with Parliamentarians who candidate to EU elections >> <http://www.live-dma.eu/amplifying-the-added-value-of-live-music-scenes-for-europe/>