Written submission from Featured Artists Coalition and Music Managers Forum (LMI0030)

Submission to Business and Trade Committee enquiry on Competition and Market Functioning in the Live Music Market

This submission is made on behalf of the **Featured Artists Coalition** (FAC), the UK body representing the specific rights and interests of music artists and the **Music Managers Forum** (MMF), the UK body representing the interests of more than 1,400 UK-based music managers.

Our organisations represent a wide range of members, from emerging artists to global superstars, and those who manage them. We are members of industry umbrella bodies LIVE and UK Music and founding members of the Council of Music Makers (CMM).

The majority of artists and managers derive a significant proportion of their livelihoods from live performance, and look to build long-term partnerships with live booking agents, promoters and festival bookers. These inter-locking relationships are at the heart of the live music ecosystem.

However, there are also tensions within the sector, and our organisations have led campaigns to overhaul controversial practices that are detrimental to the relationships between artists and their audiences. For example, in 2016, the MMF established the FanFair Alliance to combat industrial-scale online ticket touting. In 2022, the FAC launched 100% Venues in order to challenge unfair and outdated practice of venues charging onerous commissions on the sale of artist's merchandise.

We welcome the Committee's interest in our sector and believe there is an overwhelming case for a more concerted investigation by the Competition & Markets Authority (CMA) into the UK's live music industry - and also for greater scrutiny of the CMA, to ensure the UK's regulator is willing to take action that protects consumers and facilitates greater choice and competition.

Market structure and competition

• How concentrated is the UK live music industry in each part of the industry, for example, event promotion, small, medium and large venues, and ticketing platforms?

The commercial structures of live music are highly consolidated and have changed enormously since any UK regulator last undertook any significant market analysis of the sector (in 2010).

The Office of Fair Trading's report into the completed merger of Live Nation and Ticketmaster, was published 15 years ago. This estimated that Ticketmaster had a market share for live events of between 40% and 50% - with the next biggest supplier of tickets, See Tickets, being approximately half this size. While the OFT identified that competition in the ticketing market was "less than fully effective", they noted that in the "separate" market for live promotion there was far greater competition between incumbents, with Live Nation enjoying a market share of 15-20%.

In the interim period, this has changed markedly. The UK's live market is now dominated by two US-based global promoters, Live Nation and AEG Presents, alongside SJM Concerts. To some extent, these three promoters operate in a state of "coopetition" - competing against each other to work with the biggest artists, but also regularly co-promoting tours and sharing certain business interests (for instance, SJM has a minority stake in Academy Music Group, which is majority owned by Live Nation).

Live Nation and AEG have significant interests in venues and festivals, and operate their own ticketing companies (Ticketmaster and AXS). SJM has a long-established partnership with SEE / Eventim Tickets. Live Nation and SJM also have interests in artist management, including a handful of companies who are MMF members. Similarly, a small number of music managers and artists have investments in live music businesses, including ticket companies.

Although a diversity of mid-tier independent promoters and ticket agents operate competitively, the dominance of these larger players ensures that Ticketmaster, AXS and SEE / Eventim will typically receive the bulk of ticket allocations for large-scale live events.

These dynamics have been further entrenched in three ways:

1. The outsourcing of box office functionalities.

   At practically all mid-tier and major UK venues, the box office functions are outsourced to a ticket company. These primary ticket agents pay the venue an upfront advance for this privilege - for which they receive a guaranteed allocation of inventory (typically between 50% and 75% of all tickets) whenever the venue is hired. For example, the 20 Academy Music Group venues which are majority-owned by Live Nation, have outsourced their box office functions to Ticketmaster. Typically, the appointed ticket agent will also return a portion of their service fee to the venue whenever a ticket is sold.

   Mapping undertaken by the MMF shows that of 24 UK indoor and outdoor arenas, 70% (17) have their box offices outsourced to AXS (8) or Ticketmaster (9).

   At mid-level concert halls (of 1,000-capacity and above), the picture is more pronounced - with Ticketmaster controlling the box offices at almost half of all key venues nationwide (22 out of 46). These 22 venues have a combined capacity of 48,099 - compared to 9,604 for venues with box offices outsourced to AXS, 5,290 for SEE Tickets and 4,500 for DICE.

   Clearly, these arrangements provide benefits for venues and (some) ticket agencies.

   However, this model means that artists have little choice as to which company tickets their events, and will typically then have reduced leverage when it comes to accessing other valuable information, such as fan data.

   Such competitive challenges could be exacerbated when certain ticket companies dominate a majority of box offices within a certain sub-sector of the live market, or within certain geographical locations.

2. Acquisition of independent promoters and festivals.

This has been particularly pronounced with Live Nation, which, since 2010, has acquired a controlling interest in a range of previously independent promoters and events, including Metropolis, Cuffe & Taylor, Parallel Lines, Isle Of Wight Festival and Dreamland).

3. The boom in arena, stadium and outdoor shows.

   As observed by the economist Will Page, between 2012 and 2019, spending on tickets for live music shows in the UK increased from £1.2bn to £1.7bn.

   However, almost all this growth occurred at stadiums, festivals and other large-scale events - which increased their share of the UK market from 23% to 40%. This is the sub-sector of the market dominated by Live Nation, AEG Presents and SJM.

• How do relationships between artists, promoters, venues, and ticketing platforms shape competition?

As detailed above, the UK's live music market is entirely shaped by relationships between the biggest promoters (who can be both competitors *and* business partners) and their vertical ties to ticket companies, venues and festivals.

An artist's decision to work with a certain promoter or perform at a certain festival can sometimes determine the future of their entire career. Frequently, there will be a strong personal element to these relationships - especially if a promoter has worked with an artist from an early stage in their development.

Although promoters fulfil an essential role in the live music ecosystem, and, overall, MMF and FAC members enjoy hugely positive partnerships with the promoters and other live sector colleagues they work with, market consolidation has also resulted in fundamental challenges for artists looking to build viable, self-sustaining businesses.

For example:

<u>Exclusivity clauses:</u>

Exclusivity clauses seek to protect the interests of promoters by preventing contracted artists from performing shows within a certain geographical radius or timescale. They are by nature "anti-competitive", but with a clear rationale for existing - ie to "derisk" the investment of promoters, and to prevent the cannibalisation of ticket sales.

However, there are concerns among FAC and MMF members that the terms of exclusivity clauses from the biggest promoters are becoming too onerous and restrictive - and that they are disproportionately reducing opportunities for artists and fans.

Historically, the Association of Independent Festivals have led complaints in this area, claiming that Live Nation's exclusivity clauses have become so overly-restrictive that they frequently impact upon small and emerging artists - vastly reducing the pool of potential talent that independent festivals can book.

Ticket Fees:

Contractually, live event tickets are defined as the "property" of the promoters. And while artists and their teams have influence over the "face value" price of those tickets - ie the portion of the ticket price that pays for show costs, and from which they receive a fee - they have no control over the additional fees and levies that make up the ticket's final purchase price (eg service fees, handling fees, restoration levies, or a print-at-home ticket fees). Except for very few of the biggest headline acts with immense negotiating power, artists do not receive any of this revenue.

Many of our members have concerns that these external fees, on top of the face value, are becoming too onerous, contributing to escalating ticket prices for audiences.

A December 2024 investigation by The Guardian found the cumulative costs of fees constituted as much as 41% of a ticket's total cost price in the UK, and typically accounted for between 20%-30% of the final price paid by the customer.

With artists facing escalating costs from touring, there are concerns from FAC and MMF members about how revenues from fees are allocated and distributed. When an artist performs at Wembley Stadium, to take one example, a £2.75 "sustainability fee" is added - partly to cover the costs of lighting the venue's famous arch. (We understand that this fee is not levied at sporting events.)

These concerns around the "fee economy" were highlighted in another more recent Guardian article, from December 2025 - highlighting the multitude of additional charges, one-off payments and levies faced by consumers when purchasing tickets.

In such a highly-consolidated sector, dominated by vertically-integrated businesses with interests across promotion, venues, festivals, ticketing and advertising, we believe there is a strong case for the CMA to provide oversight to ensure that the market is working correctly and transparently.

Access to fan data:

For artists and managers, fan data has become an extraordinarily valuable commodity - with ticketing data the most valuable commodity of all.

Fans who buy tickets and attend live shows are the foundation of an artist's fanbase.

However, this data is also strategically important to promoters and ticket companies.

Consequently, there can be a real reluctance to share it with artist teams - or raise the spectre of GDPR laws as a barrier to withholding or limiting access to this information.

Although we respect the underlying rationale behind GDPR laws and the importance of respecting customer's personal data, we believe it is misused to create a lack of flexibility in this area, inhibiting the growth of artists' businesses. This is compounded by the inability of artists and managers to choose the ticketing companies they work with due to venue ties as above.

Ticket allocations:

Similarly, the rigidity of ticketing allocations through box office licensing deals, and a reluctance to permit artists to sell allocations of tickets through their own channels,can also be an inhibitor of growth.

• How does competition vary across different parts of the industry - for example, small venues vs. arenas, or festivals vs. tours?

Generally speaking, there is greater competition at the grassroots level of live music, which supports a diverse range of independent and regional promoters. Unlike mid-tier or arena venues, the majority of smaller venues have not outsourced their box offices to a ticket company.

Similarly, the majority of small-capacity venues do not charge commissions when artists sell their merchandise at their shows. Of the 710 UK venues who are part of the FAC's 100% Venues directory, 85% have a capacity of 500 or less.

Competition issues become more pronounced as soon as artists move up and perform at bigger venues and events.

• Do regional differences across the UK affect how competitive the live music market is?

The largest music events tended to be dominated by regional promoters - eg DF Concerts (owned by Live Nation) in Scotland, SJM in the North of England, and Live Nation (or subdiaries of Live Nation, such as Metropolis, Festival Republic or Cuffe & Taylor) elsewhere in the UK. We believe some of these regional influences may potentially be limiting competition. For example, because of restrictive exclusivity clauses at Halifax's Piece Hall (booked by the Live Nation-owned promoters Cuffe & Taylor, and now a major venue in the North of England, hosting 62 shows in 2026) we have heard from members that artists may be prevented from performing in surrounding cities including Leeds, Sheffield, Manchester or Liverpool.

Barriers to entry and expansion

• What barriers affect new or smaller promoters, venues, or ticketing firms from competing on equal terms?

Given the high degree of consolidation and vertical integration in live music, it is highly challenging - and expensive - for any new companies to gain traction and compete on equal terms.

In event ticketing, for example, competitors to Ticketmaster, AXS or SEE / Eventim have had to either bid for venue contracts to secure allocations (eg DICE at Alexandra Palace or the Scala) or develop close links with a promoter (eg Gigantic Tickets, which is now majority-owned by DEAG, parent company of Kilimanjaro Live; or Alt Tickets, which was developed by DHP Family.)

Even then, the biggest companies exhibit enormous power in the marketplace. For example, at Brixton Academy, where Ticketmaster controls the box office and receives 75% of tickets, DICE and AXS appear to have zero allocations for any upcoming events. However, at venues where DICE or AXS control the box office (eg Alexandra Palace or The O2), Ticketmaster always appears to have allocations - and often premium-priced inventory.

Event ticketing is still the only market we are aware of that Amazon entered into and then retreated - on the basis that they could not secure sufficient allocations of tickets.

• Are there exclusive deals or other similar practices that limit fair access to artists or venues? What impact do these have on competition?

As detailed above. Above the grassroots level, it is almost impossible for artists to determine which service tickets their events and on what terms, and for new competitive services to break into the market.

• Are any major firms or vertically integrated groups using their market power to limit competition? If so, how?

All detailed above. A lack of competition is inherent in the live music market. This is why we believe our sector warrants further investigation by the regulator.

Competition harms

• Have you seen behaviour in the industry that harms competition or consumers?

A lack of competition will often lead to poor outcomes for artists and consumers, whether in terms of pricing, business practices or transparency. This is why it is important for the CMA to investigate the UK's live music sector, to ensure the market is delivering choice, fairness and diversity.

• Is the CMA doing enough to keep competition fair in live music? What more should be done?

No.

The MMF established the FanFair Alliance in 2016 to campaign against industrial-scale online ticket touting. The campaign has worked closely with the CMA over this period, at a time when resale websites such viagogo, StubHub and (until 2018, when Ticketmaster closed them) GetMeIn and Seatwave were under full regulatory scrutiny.

However, despite providing sustained evidence of unlawful practices taking place on these websites - including industrial-scale fraud - and despite the CMA serving one of these websites (viagogo) with a court order, there has been no enforcement action.

FanFair continues to send evidence of fraud and other offences to the CMA on a regular basis. For instance, on the day (November 19th) that the Government announced its intention to crack down on ticket touts and introduce a cap on resale prices, viagogo's website was reengineered for a 48 hour period in a way which put the platform in clear breach of UK consumer protection law. As with previous breaches, the CMA were alerted, but, as far as we are aware, took no action.

They have also taken little interest in the actions of Google, who continue to prioritise adverts from rogue websites that advertise tickets unlawfully.

In our experience, the CMA is hardwired to pursue “compliance” rather than enforcement.

They have also shown little appetite to consider the impact of controversial new products, such as Ticketmaster’s Platinum or other similar “dynamically-priced” offerings, or to commission robust research to provide insight into how consumers are navigating the live market.

This combination of a lack of curiosity alongside a reluctance to embark on enforcement action - even against companies who operate in open breach of UK consumer protection legislation and unlawfully mis-sell hundreds of millions of pounds worth of tickets - is a major concern.

Although we welcome the CMA being granted new powers under the Digital Markets, Competition & Consumers Act 2024, we also believe there is a strong case for the regulator themselves to be held up to greater scrutiny and accountability.

If there is no change in approach, then UK consumer protection law will continue failing to protect British consumers.

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