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Sounding off

Where could a sing-song round the pub piano land you in jail? Here - and soon

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What do you think makes more noise? A pub full of people watching a live football match or a pub in which a handful of unamplified musicians are playing and singing a few songs to an attentive audience? I ask because the Government is planning a new law which requires pub landlords to apply for a licence to allow musicians to perform while exempting sports or music broadcasts.

The DCMS (Department of Culture, Murdoch and Sport) claims this is necessary because of noise generated by public performance in pubs, despite the fact that most complaints are about rowdy customers at closing time. With the new extended opening times included in this Bill, it is likely pubs will show more live sport beamed from across the planet, leading to car doors slamming and engines revving at 3am.

Meanwhile, local musicians performing for music lovers will be penalised. Getting a gig in a pub means finding a sympathetic landlord. That was how I started out, playing for beer money on a quiet night at the local. If providing live music of any kind requires consultations and inspections by police, fire service, environmental health department and local residents, the landlord will be more likely to rely on a jukebox, which - get this - will also be exempt.

The message to any young person who wants to get a record on that jukebox will be clear. Forget writing your own songs and performing them before a live audience. Better to attend those Pop Idol TV auditions.

Even having a piano standing unplayed in the corner could make the landlord liable to a £20,000 fine and six months in prison. If someone organises a sing-song around that piano, the licensing inspectors could have a case for prosecution.

How did we get to this sorry state? It began when the Government decided to do something about the licensing laws that had evolved over the past century. Under the old rules, you did not need a licence if there were only two people performing. That law, the so called two-in-a-bar rule, was felt to be ridiculous and difficult to enforce.

The notion that the Government was to modernise this rule was welcomed by musicians and landlords alike. For years, performers in England had looked with envy at Scotland, where no licence is required for public performance, provided that it is secondary to the main business. Our hope was that the new rules would bring us into line.

Shockwaves ran through the performing community when it emerged that the Government planned a none-in-the-bar law: a blanket ban on unlicensed performance on premises open to the public. This covered not only pubs and clubs but churches, village halls, schools, cafes, car parks. As the ramifications for community events began to dawn, the churches and the WI began to voice objections. The DCMS had to rethink and quickly. Churches are now exempt and village halls will have their fees 'waived'.

When you go for a drink, would you rather be confronted with a pub full of football fans or a few musicians having an acoustic session in the corner? Write to your MP demanding, at least, an exemption for unamplified music or, better still, the adoption of the Scottish system. Landlords are subject to enough noise and safety regulations to protect residents. Do not let this new law kill live music in pubs and clubs while making the world safe for Sky Sports.