

Episode Transcript:

The Lyrics, The Music & The Money! Series II



Way2Learn Transcript

The Lyrics, The Music, and the Money – Season 2

The UK Music Industry

Lesson 1 The Music Industry Today

Dr Jackie Norton and Meg Nicoll

JN Hi everybody I'm Dr Jax.

MN And my name is Meg.

JN And together we present 'The Lyrics, the Music and the Money', and it's great to be back for a second series isn't it, Meg?

MN It really is great and just in case you're wondering why two middle-aged women are presenting this music program the answer is simple: Dr Jax and I have been in the business for over 35 years, and we're still in the business!

MN Dr Jax, I do believe that you were in publishing before you became a lecturer?

JN Correct. I started my industry career back in 1989 working for Warner chapel, and that was a publishing company that looks after the songwriter, rather than the artist and the performer. We're going to touch base on that in another episode but the department I worked in was 'copyright', which sounds a little bit legal, a little bit boring. But you know what? we're also going to discover in this series that without copyright we're not going to earn anything so it's the most important part of publishing.

MN It absolutely was. My background is in the entertainment industry. Actually, I was working in the west end but I was also working as a songwriter and as a presenter of a children's program or teenage program called 'Get it together', and it was all about pop music.

JN One of the things we're here today for, as well as providing series two and sharing with you all about the music industry, some of you may have our book, the workbook. It's got puzzles in it, but it's also got really important questions. It's got additional tips as well because we can't get everything in six episodes, so if you've got this, reach out get your pens your pencils. But some of you may just want to sit back and enjoy the show and learn something new or just see what on earth Megan and I are up to.

MN Dr Jax and I want to share with you some of the insider knowledge that we've learned over the years. And one of the things that we've really found out is that no

matter how creative you are, no matter how good you are performing, this is an actual business. It exists as a business to make money.

JN That's so true, and I think that's where a lot of people go wrong: they don't realise it's a business and we're going to cover that over the next six episodes. Hopefully you'll be able to stay with us for that. We're also going to give you some Insider Secrets with our guests.

MN Today, we've actually got Jon Stewart from the bands 'Sleeper' and 'The Wedding Present'. He's going to join us a bit later.

JN So let's get straight down to business.

MN Today we've got a video with Damian Keys that we'd like to share with you that will give you some clues as to where the music industry is today.

[Play clip by Damian Keys (DK)]

DK Is it tougher to be successful in the music industry in the modern era?

I get loads of comments saying 'the music industry is broken', 'the music industry Sucks', 'it's not what it used to be'. It got me thinking: is the music industry easier now, or, is it much tougher now and Why?

So let me start with a story. It's 2006 and I've got a radio show which is going out four times a week playing up and coming unsigned artists. This guy comes up to me and he hands me a CD and the band's called 'Floors and Walls', I say thank you very much. I listened to it, and I think, 'I think I really like this'. It's really weird. It's kind of like Billy Talon crossed with the streets, or Rage Against the Machine meets dizzy Rascal very, very weird.

I take it into the show, play it to my co-presenter, we both like it. We play it on the show and everything goes crazy. We are getting so many messages coming through on the show; 'what was that!?', 'Play it again!', 'love that! We're thinking 'wow' that really went down very, very well.

So, the next day I bump into the guy says thank you and he says 'you should come down to our gig we're playing this gig'. I'm seeing three, four, five bands every single night, at this point so I say 'yeah no problem at all', I go and watch them play. So, there's a couple of bands before them and there's a couple of people in the venue and then as they get their stuff ready to play everyone starts coming in. I'm watching people coming into the venue and it's getting busier and busier, and thinking wow this is weird this is their very first gig never done a gig before. It gets busier and busier and then they play this gig and it absolutely kicks off!

Then, the next Band Walk on and these people just disperse. Then they go into nowhere. At the gig I knew something was happening I knew there was a lot of energy and momentum even though this was their first gig, so I started working with a band on a kind of daily basis.

Then, over a couple of gigs very quickly we get to the point where we headline a 600 capacity venue called 'The Concord 2'. It comes to the night of the gig there's 600 people inside, there's a hundred people outside and my phone is lit up: "you got to get me in, I can't get in!", "there's no more tickets", "there's no more space". I've got health and safety being like "no, no more people can come on in", even though there's people on a guest list. It is crazy.

The gig was amazing the guys were fantastic. Then the next few days my phone is lighting up. I've got labels, I've got A&R, I've got managers: "Tell me about this band 'Floors and Walls'", "I've heard about this band 'Floors and Walls'", and I'm thinking 'this is really starting to go'.

So we get the guys in the studio we make a record everything is starting to really, really build and we send it out to press. That includes NME magazine and Kerrang magazine. NME slate it! They hate it. We get another one from Kerrang: they hate it even more! One out of five stars, one out of five stars. At which point everything falls apart. Why? because those guys were Gatekeepers, because what they said mattered, because music was in a different time.

Now, if that had been one out of five stars from Kerrang and one out of five stars from NME, who cares? I don't care because people liked it. It was clear that people liked it. The problem was, that wasn't enough in 2006/2007. Now it's 2020, and now you get to take control. Today's music industry is tough in a totally different way. Back then there were Gatekeepers and there needed to be because things cost a lot of money. To go in the studio cost a lot of money. You couldn't record these sorts of demos from home, and at the same point getting it distributed cost a lot of money because you had to physically print CDs which had to get bought.

Think back to the 80s the 90s and parts of the 2000s. If you didn't have the copy of the CD you weren't listening to that music unless it was on radio and you recorded it from radio. It's a very different time and very expensive. Now, back then, because of that, it filtered things, it meant you got to a different level. Not only would you get some kind of financial support, but if you got to a certain level, you'd be allowed to play certain venues. If you got to play those venues and brought more people that would kind of unlock the next level.

A few days back I was talking to a friend of mine about this who's the president of a big label and he was saying back in the day A&R was a very different thing because there was this filtering system. If you were in LA you'd hang around at 'The Troubadour', or go across road to the 'Whiskey A Gogo' or 'The Roxy', because you know that the up-and-coming bands were playing these venues. It was very different

to everything online and I am now searching through just reams and reams and reams of songs and social media content.

Fast forward to today and there is a whole world of different problems. There is no barrier to entry, but now there is a huge amount of noise that you need to break through. Also, now there is so much more to do it's not just about songwriting recording and distribution. Now, you are the manager of everything including social media channels and content creation, your own distribution, your own writing arranging a lot of the recording and it can be very daunting keeping on top of everything.

You also need a bigger skill set, because not only do you need to be a songwriter an arranger, a producer but now you've got to be a videographer, you've got to be a social media expert, you've got to be a marketing expert. All of a sudden, these skill sets start to really add up. Then, there is the relentlessness of you releasing music in these times because back in the day you'd put some music out you'd do a bit of sales you do some touring. Whereas nowadays you are expected to promote stuff and do social media content every single day.

The sheer amount of content creation and releases that it takes for you to cut through the noise is much bigger than it has ever been in history. So, what this leaves you with is two completely separate problems from different eras, both of them are a mountain to climb. Nowadays at least you have all of the equipment to be able to climb the mountain, whereas back in the day you didn't have any equipment and it was tough. The issue now is it's a much bigger Mountain because there's so many more people doing it, and so much more competition.

Back in the day there was a lot less noise and competition, but it was a much tougher Club to get into and you needed to get in. You needed to be accepted not just by the labels who are funding this, but also you need to be accepted by magazines and radio and anyone else who is a gatekeeper standing in your way.

I'll see you soon.

[End of clip]

MN So, Dr Jax what did you make of Damian Keys then?

JN The key thing is here that video is called 'The music industry is harder than ever Before', and I actually really agree with that. There's a lot going on isn't there?

MN There really is. The one thing that totally struck me about that video, was when he started to talk about the 'Gatekeepers' because you and I constantly talk about that don't we?

JN We sure do.

MN But you know what? for our audience I think we should define what a gatekeeper is.

JN Well I think a gatekeeper then is someone who has the power. The power to decide who gets particular resources. So, for example, for me in the industry now is 'Universal' or a key gatekeeper they own so much of a whole worldwide industry. Not just in the UK, but they're one of three major companies.

MN Yes they are. And he also mentioned that Gatekeepers of the past were magazines like Kerrang and NME, and of course record companies and Publishers pay attention to these because they're watching all the time what the public are interested in.

MN There's something very important though that we really have to talk about for all you music creators, poets, lyric writers out there, and that is...

JN Copyright! My favorite subject.

MN Copyright is probably the most important issue in the music industry.

JN Exactly. We mentioned earlier about the buying and selling of songs and again we'll go into that at some point during this series about 'where does that song make its money?'

MN Exactly and it's those original songs that are bought and sold. They are called copyrights and until you decide to license them, they belong to you, and must be protected because basically they have value.

JN And I think one thing is key about this, or we call it 'King', but it's about putting the words and lyrics or the music on a piece of paper or record it doesn't matter how you do it. But once your ideas are on something it becomes tangible it becomes your copyright. And, did you know Meg, how long copyright lasts?

MN I think I did, is it 70 years?

JN It sure is. So, from that point of first making our notes or whatever we're using, or whether it's our GarageBand or something, it's 70 years after the death of the last surviving author. So that's a hell of a long time.

MN Have a look at this.

[Copyright video narrated by MN]

The copyright designs and patents Act of 1988 gives, the author or Creator the exclusive right to copy, adapt, communicate, lend or sell copies of their original work.

This right can be sold or transferred. It has value. So your poems, artworks, songs or original music are protected by law. It means that songwriters get paid for the songs they've written, so remember to add the circle with a c in it to your original work. Copyright: it's valuable, and it's yours.

[End Video]

JN So that's another really interesting video Meg , and I think what again is really important to highlight here is that copyright covers the sound recording (so the bit we hear), the lyrics and the melody. So, there's three areas of that copyright.

MN And you know what, we're going to be coming back to this particular topic again and again. It's a little bit tricky to get your head around, but it is just so important.

[Back to the interview with Jon Stewart]

JN So Jon, before we get to the end of this episode and play out on one of your tracks, what words of encouragement have you got for our audience?

JS I think the main thing is just keep going. Everybody's had sort of times when they wanted to stop, but if you just keep practicing and keep trying and try different things stuff will come up and you'll make music that you you're happy with. It's just about being creative really, and ultimately when you make a piece of music you own that, you've created something what we call intellectual property. Jac and Megg are going to talk about in other episodes.

That's yours. You own it. That's your copyright, so you can create your own stuff and that that's yours. If it's played on the radio or used anywhere, you'll get money for that in the future. So, it's worth sticking around and just giving it a go and see what happens.

Good luck everybody and you know, just stay creative and give it your best.

JN Brilliant thanks Jon

[End of clip]

JN Before we wind up we've got some four key points to share with you.

MN/JN

1. The business is constantly changing.
 2. We need to understand who those Gatekeepers are.
 3. Your songs and your music have value.
 4. Always add the copyright symbol to protect yourself.
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MN And, be sure to read the workbook because we've got a special article in there if you want to get creative and start writing your own songs. It's also in something called 'toolbox' as well.

Lesson 2 What Makes a Good Demo

Dr Jackie Norton and Meg Nicoll

MN Today's Focus, which is how do you create a good demo that will get people interested in you.

JN But Meg, from our audience, those that may not be, songwriters and composers, or might be thinking of starting out, how do we define a demo?

MN A demo is an original recording of your song you've written, and that you record to the very best of your ability of how you think it might sound and how somebody might like it. You can play it to other people to see if they might be interested in either recording your song or singing your song.

[David Smart (DS) Joins MN and JN]

DS Okay so today's video is a follow-up to my comprehensive guide to releasing music as an independent artist. Now I released that tutorial just over a year ago and it's had a really great response. So I thought let me add some more of my experience as an independent artist producer to give you some additional insight into the challenges you might face when it comes to releasing songs.

Now the first thing I want to cover is, the barriers we sometimes face as Songwriters, Producers, Artists, Singers, Rappers, Musicians, whatever. And the main barrier we often face is the song is not quite ready, so I need to do a bit more to get it to that stage where it's ready to be released.

JN It's great that you're joining us and thanks for giving up your time. I think we're now going to just listen to a track that's been sent into us called 'What's it Gonna Be?'.

[Play Music]

So David, the track 'What's it Gonna Be?', what are your thoughts can you give us a bit of a concept of it of being a demo is it good enough as a demo at this point?

DS Well I'd say maybe there's a little bit more work to be done, but having listened to it you could tell that the guys participating in it are enthusiastic. The fact that they've got together they've worked together you could tell that they're kind of combining different styles to try and create something fresh, which is really good a

However, in terms of preparing as a demo, because ultimately your demo is meant to impress the hell out of me, you need to give me your absolute best. Therefore, you need to really truly listen and maybe share with one or two of your friends and get some feedback, because sometimes it's that one chance you get to impress somebody who's going to change your life.

One misconception that I had for many, many years, when I was coming up, it's not about the quality of the recording or the production, it's the song. Can you impress the listener with the song. So if it means maybe you need to work on your timing a little bit more, or your flow if it's a rap song, or you're playing just just be honest with yourself as you only get one shot.

JN Thank you so much for giving up your time today we really really appreciate it, always a pleasure to see you Dr juice.

DS Always a pleasure, likewise Dr Jacs.

[End of interview]

JN There was definitely some interesting points that came up there with David, and one of them was the subject of co-writing, in other words, when you're writing with somebody else. So I wonder what that means in terms of copyright.

MN We previously said that if you write a song then of course you own a hundred percent of that song. But if you write it with someone else then it becomes a co-write and that means that you would both own the copyright.

JN So if you co-write with one other person like where Meg and I write together, we would go 50 50. We'd make it a really fair split no matter what you've done. If there's perhaps three of you working together which is quite possible there might be four band members, but maybe only three write the songs, then again to be fair you'd go with a third each. Remember as Meg just, previously said: the song has to add up to 100%.

MN What is extremely important, is to have that agreement written down. It's called a collaboration agreement, and I do believe we might have one in the book Jackie.

JN We do. We've actually utilized a collaboration agreement but don't be put off with that term 'agreement' don't be put off with that sort of legal terminology because when you look at it it's actually like a letter. The most important thing is though that you sign and you date it. Even if you haven't come up with a song title, you can have a working title. Just put 'WT' in brackets so everybody involved knows that's a working title.

MN Sometimes a collaboration agreement is called the letter of intent. It shows what you intend to happen. In this letter [see example] Dr Jackson Meg share the copyright 50 50. Then they sign it and date it.

As long as you sign it and date it with your real name it becomes a legal document.

JN Let's just do a little recap:

Before you demo a song we also obviously need the actual song which includes the melody and the lyrics, some of you may call it bars and beats, and we need that to get it the way you want it.

MN But also you want to record the demo with the very best equipment that you can get, under whatever circumstances you've got. Always remember that a guitar and a voice would be adequate, if that's all you had .

JN You don't need lots of Technology nowadays just to put a demo together.

Lesson 3 Working with a Producer

Dr Jackie Norton and Meg Nicoll

JN Welcome back, everybody. We've got another great guest for you in this episode and it's Pete Woodroffe, famous producer, probably most famous for Def Leppard.

MN He produces for Def Leppard, as well as other people, of course, and he's also a great songwriter.

JN So what we're trying to bring to you during this six part series is the fact that, we had Doctor Juice in the previous episode and he was looking at things from an urban perspective. Pete's going to look at things perhaps from a different perspective.

MN So the last time we touched on something that would become very important in today's episode. And it's collaboration. And that means collaboration on your words, your music or maybe even collaboration with the producer like Pete.

But we'd like to bring you absolutely up to date, and if we're bringing you up to date, we have to talk about 'Top Lining'.

Now, Top Lining is when you actually write the melody and the lyrics of a song from a producers beats. So, they produce the beats and the backing track, and you have to try and write a song on top of that.

JN And we quite often see that in different genres of music in today. So you see it in pop, R&B, EDM and number of different other urban kind of things. It starts off with that instrumental beats and then the song gets written over the top. Those lyrics, if they exist, go over the top.

MN And you know something, sometimes there's a lot of writers that write on top of those same beats and the producer asked them to write their song on top of those beats. And then they may only choose one writer out of all that or they might choose bits from each songwriter, which of course makes the rather enormous collaboration agreement.

JN Yeah, we spoke about collaboration agreements in the last episode.

MN Remember that this is the modern way of doing things in terms of top lining. However, in days gone by, it could be that you gave the producer your demo, the one that you tried to do, when you'd made a demo and you were going to play it to someone else. Where if you play it to a producer, the producer would actually bring that demo up to a professional sounding master. Then you could take that to a record company or a publisher.

JN So what we're going to do now, we're going to show another one of our videos. This time it's Rob from Music Gateway (RMG) and he's talking about top lining and also songwriting. So, sit back for a few minutes and enjoy.

[Play clip]

RMG Hi, I'm Rob from Music Gateway. And today we're looking at Top Line. A top line in music, by definition, is the melody of a song, which is usually sung by the vocalist. It can also sometimes be played by instruments which might repeat a part of it. This then becomes the hook.

In simple terms, a top line melody is what you sing at the top of your lungs when you're driving in your car. It gives the song meaning when it's paired with catchy and memorable lyrics.

Top line melodies are important as it allows the listener to connect with the song, especially the singer. It's what catches the listener's ear so it needs to shine within the song.

A lot of people ask if a top line writer is the same as a songwriter. Now, they're ever so slightly different. A songwriter has full creative control. They'll write the lyrics, the melody, the song structure and the chord progression, whereas a top line writer they'll write only the melody and the lyrics over a beat or a track that has already been created by a producer.

So how do you become a top line writer? There's a few different ways, but it's important that you have a portfolio of your work. You'll need it to showcase your strengths and to demonstrate how your melodies. Stand out within a certain genre.

As a top line writer, you'll need to collaborate with other writers, artists and producers to make a song, so it's really important now that you start networking and collaborating as much as possible.

[End of Clip]

MN Well, I hope that you all got a very good idea of what top linings about, and now we've got someone who's really interesting to us and could probably help with your productions.

Yeah, we're joined today in This Lesson, an episode by the fantastic producer Pete Woodroffe, who's worked with bands such as Def Leppard. Hi, Pete, and thanks for joining us today.

PW Hi, nice to be here.

MN What we've been talking about today is, is what a producer actually does. Because the point is, people that do demos at home don't know what a producer actually can bring to their demo. Could you give us a kind of hint on that?

JN I think it's changed over the years. I think 20 years ago we had big studios, records were made in rooms with bands playing, and the producer was like the midwife. They would try and organize the fog of the studio where people all have different objectives and the producer has to keep an eye on the big picture, so that you end up with a record.

You're almost at the interface between the record label, if it's assigned project, and the artist. They often have very different objectives. The record label wants something commercial and slick and the band want to be cool and edgy and left field. But it's your job to kind of organise that.

JN So just to kind of sum that up a little bit, would you say that your role is to guide the project, and you mentioned about keeping in budgets, so we need to think about that financial side and obviously there's a technical element to it as well?

PW There are two different types of producers in the old days. There was the guy who came like me through being a recording engineer, worked all the gear, knew how to make reverbs and compressors, make it sound great. And then there was the producer who would generally sit in a in a big chair with a cigar.

I have a friend who's a producer, incredibly successful producer and the mate of the artist who was an actor. And he said 'I want an ally in the studio, can you be my producer?' And the guy said, yeah, sure, he was an actor as well. So he acted the part of being a producer so that the artist had. And he went on to produce Céline Dion. He is one of the biggest producers in the world.

I've been recording engineer and I recorded a Def Leppard album. Def Leppard's two massive albums, Pyromania and Hysteria, were produced by Genius called Mark Langer. I'm not Mark Langer. I engineered the next album they did called Adrenalize, which had a song called Let's Get Rocked on it. That was a hit.

Anyway, after that album Nirvana had happened, Pearl Jam had happened. And so I got the gig to produce them, and I then produced 4 albums with them, , including Winemaker live with a hit, 2 Steps Behind song called Paper Soundtrack called Promises. So there's lots of stuff I worked on, but you know I kind of filled the shoes of Mark Langer, who went on to produce Bryan Adams and Mary Shania Twain and he's probably one of the most successful producer writers in the world.

So yeah, that's where I came in.

JN But I think what's really interesting there is that, you're explaining you didn't just get that role of the producer, you started somewhere else in the industry. You're networking, you're working with the musicians, you're working with other producers.

And then opportunities come from the back of that, don't they? So if you're showing that, you're dedicated. Hard grafter. The doors will open.

PW Hopefully! I

It's very different now because, well, because you know, in 1984 when I started there were 250 studios in London alone. People making records every day, record companies paying studio bills. And now it's become like a home industry. Most things, a lot of stuff is done, unless it's soundtrack stuff or big movies. Most of the work is done in little home studios and you can make it sound incredible. You know, it's astonishing what you can do online.

There's lots of forums with people saying 'ohh what plug-in should I use'. Literally with logic you can make some incredible records. It's amazing.

JN Perhaps we should just sort of acknowledge to our audience members that the industry has lots of different organizations that support different areas. And of course, producing is the 'Music Producers Guild' that is there to support remixers, engineers, producers. It's an opportunity to network, but you know maybe perhaps a way in to try and get that experience to shadow people even.

PW Yeah, networking is really good. I started by making tea for the guys who wrote the songs for 'Bucks Fizz'. So you know, it's getting your foot in the door and that's the tricky bit. But also, you can learn a lot with a Mac and Logic.

[End of interview with Pete Woodroffe]

MN So working with a producer to get your song really fine-tuned can in fact be a luxury. I read that during the lockdown, some songwriters were actually getting to grips with the technology themselves, and they even were speaking to producers online so that they could get the idea of how to record their songs.

JN But it all comes back to where we started. And that's basically that you have to be adaptable in the music industry and ready to embrace change.

Take care.

Lesson 4 How to approach a Music Publisher & Record Company

Dr Jackie Norton and Meg Nicoll

MN Over the last few episodes we've been going on and on about copyright. But today you're actually going to learn how your songs and your music can earn you money.

JS We've got another fantastic guest sharing his thoughts, his ideas his experiences, about being in the music industry since around the 1980s.

MN So, Dr Jax just tell him do your songs earn you money?

JS We use that word 'money' quite Loosely because actually in the industry we refer to it as a 'royalty'. You earn your royalty in a variety of ways, quite often that people don't necessarily think about. Perhaps karaoke if you're a songwriter, but also through live performances, through the radio, through television, and also now we've got so much streaming going on. Whether it be through something like Spotify or even something like the Disney Plus or Netflix channels.

MN The word royalty though might confuse some people could you just give us a explanation of that?

JN It's where a third party is actually then paying you for that agreement really. They your publisher.

MN The amazing thing is that we've got something called 'Collection Societies'. The collections Society for the songwriter is called PRS through music, and they collect those royalties on behalf of the songwriter.

[PRS and MCPS video plays]

It's clear then that music is valuable. We are here to protect that value. Here to make sure that songwriters, composers and publishers are fairly paid when their music is used, and we do this by managing their music rights and royalties.

The writers and publishers of songs and compositions have certain rights. We can manage some of these rights once they become members, meaning we can collect money on their behalf then pay them their royalties.

As the home of the Performing rights society, also known as PRS, and the mechanical copyright protection Society or MCPS for short, we at PRS for music represent two kinds of Rights in songs and compositions.

Performing rights are managed by PRS. They entitle creators to royalties whenever their music is broadcast on TV, film, or Radio, streamed, downloaded, performed or played in public.

Mechanical rights are managed by MCPS. They cover royalties due whenever music is copied as physical products such as vinyl CDs and DVDs used in TV film or radio or streamed or downloaded.

This is different from PPL a separate organization which manages the rights in the sound recordings on behalf of performers and record companies.

So how does it all work? When a business purchases a music license they're given permission to use Music which helps shops, radio stations, pubs, websites and countless products and services come to life. Imagine if all those businesses had to seek permission from each individual music creator every time they wanted to use their music, and imagine the creators having to manage all those requests.

PRS for music solves this problem by providing music users, from the largest broadcasters and retailers to the smallest performance spaces, with permission to use music from all around the world. So, whenever this licensed music is used we can ensure that creators can be fairly paid.

PRS is owned and governed by its members, and MCPS is owned and operated by the music Publishers Association, a trade association for music Publishers in the UK. All major decisions are made on behalf of Music creators and their Publishers, and both societies strive to achieve fair value for members in the UK and abroad.

PRS for music really is here for the music and The Music Makers.

[End of clip]

MN What can a publisher actually do for a songwriter?

JN The Publisher's role is to exploit their catalog exploit your songs.

MN Exploit that doesn't sound good, but is it?

JN In the industry it actually is and it's a really good thing. What they're actually doing is they could be printing your music onto sheet music or bookfolios. They could be getting your music licensed into TV adverts. There's so many different ways that they're exploiting and making that license and that license generates that money for you.

MN That's given us some idea of what a publisher does. But often songwriters are performers too, so should they be going for a record deal?

JN Not necessarily Meg sometimes it can be a really good idea to go what I call through the back door. As a songwriter then, it's the Publisher's job to help and support you to find that deal because without that recording, they can't exploit the recording.

MN That's really important and actually I have heard it said that you shouldn't sign a recording deal and a publishing deal with the same company, is that true?

JN That is true. It makes sense because you're putting all your royalties in one basket, and of course it gets difficult now because so many companies are buying each other out. But our advice to you is if you do get signed signed to separate companies and then your royalties will come from different sources.

MN Well that definitely makes sense and I know that anyone would love to be signed to companies like Sony, Warners or Universal: one of the big three.

[Clip from Damian Keys (DM) about Recording Contracts]

DM Contracts have changed so much over the past few decades so what does it actually mean to have a recording contract in this day and age? And why, oh why do so many massive artists who are going through that process of having massive deals so utterly demonetized when they come out the other end?

Today we are going to look at what is a record contract, what's in a record contract, and what are the things that you should lookout for so that you don't become the next horror story statistic when it comes to being a massive artist falling out of favor with a label.

If we want to look at recording contracts today we should probably take a trip down memory lane. Back in the day recording contracts and record labels were 100% necessary. If you think of what had to be done to get a record out there it was out of the Realms of possibility for any normal artist, because the first thing you had to do was go into the studio.

Now nowadays you just plug into your Mac and off you go. But no no no back in the day you'd be looking at paying a thousand, fifteen hundred, two thousand, three thousand, dollars per day just for the hire of the studio, not including you would need an engineer and on top of that a high-end producer. And potentially some session musicians because you couldn't just program it on a keyboard.

All of that added up. now if you're in the studio for months a time that is a huge amount of money and that is just for the recording. After that you've got the mix, then you've got the master.

And then you've got the distribution: You have to get that music printed onto a piece of plastic and that has to happen thousands if not hundreds of thousands, if not millions of times. And those need, after manufacturing, to be taken to every single record shop around the country if not around the world. Which means you need a network of shops you also need the shipping costs which could be potentially trucks, or boats, or planes.

All of a sudden this starts to add up let alone advertising fees, and so therefore you needed a label. The label would put in the money and also that network. They would be able to upfront put in the costs of maybe hundreds if not for hundreds of thousands, if not millions of pounds for you to fund your music getting into the hands of your fan.

[End of clip]

JN Damian did pick up on A&R in his video. It stands for 'artist and repertoire' which is about the artist and the catalog. So they used to go out to clubs and bars and all the live music venues that you can think of, some of those Grassroots venues, to search for that new talent. That's changed a little bit now.

MN I think it has because you've got things like Instagram, Tic Toc, then you've got SoundCloud I think they've got their in our scouts out now searching through all of that to find people.

Lesson 5 Going it Alone

Dr Jackie Norton and Meg Nicoll

MN If you've been watching lately you have seen that we've been talking about collection societies and how you can earn money by their royalty collection for you or from getting a publishing deal. Dr Jax do you think that finding a record deal is completely dead now?

JN I don't think it is Meg. When we think about all those TV programs such as 'The Voice' the winner gets offered a deal with 'Universal'. It's a huge deal.

[Video with Damian Keys (DK)]

DK Can you imagine if all of a sudden that first single went stratospheric the label will go hang on a minute we want to do another one. We would have gone 'well I think we're gonna go with a much bigger label', obviously.

So if they'd have said well in which case we're going to sign your whole life away and this is where artists sell their soul. At that point we could go and get that massive Stratosphere single and we are now tied in and we're like oh we could really do with go into a bigger label getting some more clout but we can't, because we're tied in.

This is where we have to be very very careful of what you're signing up for.

[End of clip]

JN He's right it's all in the contract.

MN Exactly, and of course the record companies are doing these 360 degree deals which I think you need to be a bit careful about.

JN I think so because 360 means the whole thing this is it the full circle. So in music industry terms that means a record company was signing for the recording, so the record deal. They'll sign you for merchandise. From buying your live performance rights. They'll sign you for publishing.

So they're actually signing you up for everything.

MN So, the one thing we haven't covered Dr Jax is how do performers get royalties from their music when it's played on radio and television.

JN That's a good point so whereas in the last episode we talked about PRS and MCPS, there's a similar collection Society for the artist but also we call them the performer because it also includes, in this country, session musicians. They also get a royalty of course and that company is called the PPL, and that stands for Phonographic Performance Limited.

In a very similar way to PRS where the music is used, or the sound recording should I say here, let's make it clear. When that sound recording is used, a license has been generated already and so that royalty then comes through that system and it's paid out to the record company to pay the artist.

Very recently, I think it was around 2016, the two organizations formed a collective so that those Barbers, Hairdressers, Nail bars, whatever, would actually then be issued one license. It's called 'The music license'.

MN The Phonographic Performance Limited actually issues something called an ISRC code, which stands for the International Standard Recording Code. This recording code is put on every recording at Master Level and it's so that they can either identify the recording when they're paying out those royalties

JN So each song or each recording has its own ID. I think what's important there is there's no copywriting a song title, so it does really make sure that the right song is paid out.

MN So, we promised that we're going to look at grabbing that power back and going it alone.

To break it down let's cover five key points.

- Number one: the songs are up to spec.
 - Number two: they've all been copyrighted.
 - Number three: the songs have been registered with PRS for music.
-

- Number four: they've joined PPL so that the ISRC code is given to them and it can be embedded in the track.
- The fifth and final: is the track as good as they can make them.

MN What I would do next is, I wouldn't want to go completely alone. I'd want to know that there's some other people out there I can at least talk to. Actually, when I think about it, I should mention the 'Ivors Academy', which is actually an organization for songwriters who are all interested in getting their music out there. They can share ideas with other people they might even do co-writes. But also, one of the best things about it is that they do demo sessions, which means they listen to people's demos.

Today's guest really special we're being joined by Naya Smith who is absolutely fantastic and he works as A&R for 54 London records.

[Interview with Niyah Smith (NS)]

JN Meg and I have been talking about 360 deals, and you've just said that you're working for a label that also does merchandise and we've talked about how that actually works, where a company might pick you up for more than just your recordings.

NS I just feel like nowadays there's so much more revenue outside of just recording, record sales or streams. So sometimes it's more of a benefit for a label to try and get more touring of course, merch, any other bits and Bobs that you have going on. It's not it's not ideal for artists which I'm sure you guys have covered, but it works for people sometimes, sometimes it doesn't.

Lesson 6 What's the Future for the Music Industry

Dr Jackie Norton and Meg Nicoll

MN Hi, I'm Dr Jacks.

JN and my name is Meg.

MN If you've been listening to our advice in this music series, you're going to know that there's more to this industry than meets the eye. You've got to take care of business too.

JN Exactly and there's lots of money to be made, but the question is: 'is it being distributed fairly'?

So, I'm just going to read a quote to you all from an industry source from a few years ago: "It's sometimes said there's no money in streaming but that is simply not true. Music makes good money from streaming. There's good revenue coming in, the issue is how is it getting shared."

MN Well here's a current statistic from 2022 and it states that '50 to 55 of streaming money goes to the recording rights'. So, that's the record companies. well 10 to 15 percent goes to the song rights, and that's the Publishers.

JN So that means that the money going to the artist or songwriter actually depends on their contracts, and of course they're private really so we can't divulge into anyone specific or who's getting what. But the key thing is I think the record companies probably taking a higher cut than we'd like to think.

MN I'd like to read you something that has been said in a recent think tank, that I think really makes a difference. It's from the CEO of 'Nuagency':

"It's the year of Tic Tok in lots of ways. The thrill of vitality Tic Toc can provide, and the way it starts and ignites Trends is probably the most important way to break artists and to break products versus anything else that is there right now. And I think more and more people are going to learn how to make Tic Tocs, and I think it's going to become more accessible. I also think it'll become more of a place for executives and for the industry to flourish too."

JN So let's find out what David Smart or Dr Duece our producer from another episode, thinks about where the future's going with the industry.

[Interview with Daid Smart (DS)]

MN So David, we're really keen to know how the future is in the music industry, how do you see things developing?

DS oh well, I'll definitely see things developing in a very positive way and we have had huge developments certainly over the last few years. I mean, it's a lifetime away from when I was coming up. You know, getting a song out to the public was such a journey. You had to rehearse before you went to the studio which would cost you about 200 pounds for the session. If you flopped in that session, you'd have to find another 200 pounds to go back in.

Then you had to go through the process of getting it mixed, mastered, and this is not by yourself, this is by other people. Then if you weren't signed you had to lug around your records, and well of course, you had to get pressed. Then you had to take your boxes of records around to the local record stores on a sale of return and give it in. If you're lucky you might go back and you get a few quid, or you might go back and get all your records back and you store them in your bedroom!

Now you can just make a song, produce a song in the evening, upload it tonight and have it distributed within a couple of days direct to the public. So the accessibility of distribution and the production and distribution technology has definitely made that an amazing leap forward.

The only caveat is this: the oversaturation. Now when you've got too much of something, it's the scarcity model isn't it? If you've got too much, it sort of devalues it. Too much stuff you know, it can devalue and therefore people's attention spans are reducing every year. That's why Tic Toc is doing so well, it's for just a few seconds. I think we'd find that songs might become shorter and shorter over time.

[End of clip]

[Interview with Mike Lindup (ML)]

MN So Mike, we've got our crystal ball out now and we want to look at the future. What do you think the future holds for the music industry?

ML As the saying goes, 'we live in interesting times', so I've just been in a big conversation with my cousin who writes for TV and film about AI (Artificial Intelligence). and how the possibility of AI taking over as it were.

Certainly, some of the examples of the tools I've used, not only for example generating lyrics in the style of [x] or generating music from lyrics, or creating all kinds of things. Plus the fact that you can also use AI to take existing things and extract instruments out of them almost kind of pristinely in a way that I've not heard before.

My cousin is concerned particularly about the TV in film music side, that robots are taking over kind thing. It's very clever stuff and you know whereas in the past you know we lived in this paradigm that we write a song we have the copyright and the royalties come in, and that's kind of like our income there's more possibility of buyouts or being avoided altogether by certain companies.

But I think the thing about a song, if you write a song that connects with other people then it's connecting, it's more than I believe you're more than just the music that's connected there's a kind of energetic connection. There's also the possibility that other people put their own interpretation on the song and you know so music I think will continue to have a value. But it's how that value is perceived that that will change and for fairly old people like me that came up in the traditional record company thing, we're having to think of ways to reinvent how we earn because obviously the income from streaming is a lot less than it used to be from physical product.

So I'm having to think about ways apart from the live thing which, thank goodness you can't put in a bottle at least at the moment, how do I make a living from the internet, from websites, from the social media side of things. Or something that's not yet been thought of. So that's I think where the future lays.

JN I'd just like to pick up on one thing that you said there Mike for our audience. It's a term us three will understand but our audiences might not understand. The word 'buyout' that you use, do you mind just explaining that to our viewers?

ML Often in in the world where you're composing music for films or TV, as I understand, there's kind of two ways that you do it. You agree to provide music and you get a royalty payment, maybe a combination of a fee up front and then a royalty. So that if it's used again, you get payment for it.

The opposite to that is a buyer where the company or whoever's employing will say I want to buy this from you and then you have no rights to it at all, and I own it for perpetuity. If it makes money then it makes money just for me.

[End of clip]

JN This is really good important points that have been identified there about the future. Also, Jon Stewart who was from the band sleeper is going to share with us a little story about why it's so important that you understand where your royalties come from and that key topic, and that's copyright.

[Interview with Jon Stewart (JS)]

JS I think every musician has a copyright royalty nightmare story. Probably my one is this film 'Train Spotting' which some of you might have seen, became a very well-known film. 'Sleeper', my band, was invited to contribute a song which we did, and then we were also asked if we would cover the 'Blondie' song 'Atomic' because they were a bit expensive, and we were quite cheap at the time.

So we've got two songs in the film, one's an original and one's a blondie cover. They made a soundtrack album to release and they said, 'do you want your song or the blondie song?', and I thought we should have our song on it because we would get royalties for that because we own that copyright.

The band decided they didn't want that because they wanted to save that song for a single so it would be new when it came out as a single, and it would get a higher chart position. So they went with the 'Blondie' song, and as a result unfortunately or fortunately the Trainspotting album soundtrack, it became a best-selling record. It went triple platinum, sold a million copies. So those royalties went to the songwriter which wasn't us, it was 'Blondie' because they used the cover version, not the original.

But we could have had our copyright on what turned into a really big selling album but we let somebody else's song go on instead. One of the members of Blondie took the two of the band members out for dinner to say 'thank you for my new house', I didn't even get to go on the dinner!

September 2023

[End of Clip]

JN So I'm just gonna take this point now to thank our guests that supported us throughout the series and they've given up their time too. So I want to thank Jon Stewart, Naya Smith, Pete Woodroof, Mike Lindup, David Smart.

Stay safe everybody thanks for watching, bye.
