

Culture and the new relationship with the European Union

Engagement findings

March 2024

To support its inquiry into culture and the new relationship with the European Union, the **Culture, Communications, Welsh Language, Sport, and International Relations Committee** sought insights into the effects on the creative industries. The Citizen Engagement Team facilitated interviews and focus groups with performing and touring artists and creative professionals engaged in cross-border work. The results of which are detailed in this paper.

Background

The Brexit transition period ended on 1 January 2021, which means that it is two and half years since the new regulations were introduced for working and trading between the UK and the EU.

Engagement

Between 11 December 2023 and 26 February 2024, ten interviews and one focus group were conducted by the Citizen Engagement Team. The purpose of the interviews and



focus group was to provide the Committee with the views and experiences of performing artists and creative workers touring and working cross-border.

Participants

13 participants took part in the interviews and focus group. Participants included Welsh international professional folk, rock, and instrumental performing artists, performing artist managers, a Welsh instrument manufacturer, a Welsh cruise director, promoters of Welsh international music and instrumental festivals, and representatives from cultural businesses and venues in Wales as well as an organisation advocating for artists in the music industry.

Some of the participants have performed and toured in Europe since the new regulations came into effect, whilst others have made a conscious decision not to do so.

Participants were sourced via a screening survey sent to over 35 individual artists and bands and over 15 cultural organisations in Wales.

Some performing artists were approached, but chose not to partake in the engagement, suggesting that it is too early to measure the impact of the new regulations, particularly since they came into effect during the pandemic.

Thank you to everyone who contributed to the programme of engagement.

Methodology

All interviews and focus groups were held online to enable Welsh artists, working across Europe and further afield, to take part.

The following discussion points were addressed during the interviews and focus group:

1. In your view, what impact, if any, has Brexit had on your cross-border work?
2. Are there particular aspects of the new rules that you would like to discuss?
3. In your view, what impact, if any, has Brexit had on accessing funding and networks?
4. Do you think there is enough guidance and support available to you relating to the new relationship between the UK and the EU? What additional support would be beneficial to you?
5. How do you see the future of your cross-border work?
6. What changes, if any, would you like to see in the future, to improve cross-border working for the culture sector?

1. Summary of recommendations

Recommendation 1. Accessible management infrastructure supported by the Welsh Government, where performing artists and creative workers can access practical advice and support to manage and further their professional development, on a local, national and international level.

Recommendation 2. Accessible, accurate guidelines on the new regulations.

Recommendation 3. Tax incentives or Welsh Government funding to encourage cross-cultural exchange between the UK and the EU.

Recommendation 4. Streamline merchandise paperwork for performing and touring artists.

Recommendation 5. Reduce the cost of carnets and subsidise the deposit required.

Recommendation 6. Visa waiver agreement for performing and touring artists.

Recommendation 7. Support performing and touring artists to seek cultural opportunities beyond the EU.

Recommendation 8. Develop and support cultural opportunities in Wales.

Recommendation 9. Create a new role, Culture Commissioner for Wales to re-establish and nurture new partnerships and networks with the culture sector in the EU. This role could also be an opportunity to support performing artists and creative workers in Wales, whilst also promoting a more positive attitude towards the culture sector.

2. Key themes

The main impacts of the new relationship with the EU on culture

1. All participants agreed the new regulations have had a negative impact on their cross-border work and the new relationship between the UK and the EU, within the culture sector, is a difficult and strained relationship.
2. Participants also spoke about the added complexities of identifying the impact generated by the new regulations, as their coming into effect coincided with the instability of the pandemic, a financial crisis and an energy crisis – “a perfect storm.”
3. All participants spoke about the short and long-term impact of the new relationship with the EU on the careers of performing artists and creative workers in Wales.
4. Participants expressed concern about the specific impact on culture in Wales, at a time when there is more interest than ever before in Welsh language and culture.

“It's massively frustrating because Wales specifically has gone through huge changes in confidence in language and culture....and is now getting more mainstream media attention. But the delivery of that on a practical scale is then hampered by all of these ridiculous hurdles to try and get that out into the world, when there is actually now more interest than ever there was before.”

Fewer opportunities

All participants agreed that there are fewer invitations and opportunities for performing artists and creative workers from Wales, within the cultural sector in Europe, since the Brexit regulations came into effect.

“In this field of work, there are highs and lows, that's how it's always been, over forty years of being a professional musician.....but it's pretty odd that nothing has come in since Brexit.”

- 5.** Participants expressed their growing concerns as promoters opt to hire EU citizens only.

"People in the EU think it's just too tricky to work with the UK it's just too much paperwork".

- 6.** Participants spoke of some promoters, even within the UK, hiring only EU citizens.

"There are Brexit benefits.....for people with EU passports. Britain has lost its 'soft power'."

- 7.** One of the participants' biggest employers is a French harp manufacturer. Before Brexit, the participant used to travel all over Europe with them. Since Brexit, the participant has not received any work from the company.

- 8.** One manager suggested that booking inquiries for artists are down 20-30% since Brexit and Covid-19.

- 9.** One participant illustrated the specific impact on young artists. For example, in Denmark, artists need to earn a minimum requirement before they can perform without a visa.

- 10.** One music instrument manufacturer illustrated the importance of showcasing his products at events in the music industry within the EU. This has not been possible since Brexit.

- 11.** Some participants explained how the cultural market beyond the EU continues and, in some cases, has expanded. For example, the United States of America. However, they tend to be complicated and more expensive markets and don't have the same appeal as the EU market for some performing and touring artists.

- 12.** Other participants said that performing and touring artists should be considering new opportunities beyond the EU.

Financial implications

- 13.** All participants referenced the financial implications of the new regulations.

14. Many participants spoke about the additional costs of carnets, if required, and the deposit which is 30 to 40% of the value of the item(s) carried.

15. Participants explained the importance of merchandise as a revenue stream for performing and touring artists. Due to shipping costs, some artists are employing EU businesses to produce their merchandise locally, to save having to transport their merchandise. This has an obvious impact on businesses in the UK, including Wales.

"If you can't do that [sell merchandise whilst on tour] or you can only take a small amount because of the cost, then it's going to be a really big hit to what you're actually taking home as a result of that tour."

16. Some participants illustrated the impact on ways of working, both in Wales and the EU, as promoters struggle to commit to bookings, offering profit shares rather than guaranteed fees to performing artists.

"Promoters [in the UK, including Wales] are less willing to take risks on bigger fees.....you get asked a lot more to do shares.....like profit shares with a number of audiences. So you take a cut of the box office instead of a guaranteed fee. There's a whole new way of working going on.....It's a trickier scene than it was before."

17. One participant illustrated how his musical instrument manufacturing business has seen a drop in EU sales, largely due to export costs as well as increased difficulty in importing EU materials for manufacturing.

18. Another participant spoke of financial losses, due to additional fees, whilst trading with a company in Ireland.

19. Some participants explained that accessing any funding intended to replace EU funding has become very competitive and short deadlines do not allow time to consider possibilities and opportunities in their entirety.

Administration

20. All participants spoke of the labour-intensive increased paperwork, as a result of the new regulations, with artists and creative workers having to spend more time on administration and less on creativity.

"I don't think we can underestimate the significance of the impact of having to understand and comply with all of that, [the paperwork].....It's just all very time-consuming and it's a real headache."

- 21.** Participants spoke of the impact of increased paperwork on their creativity.

"Obviously, there are exceptions, but for the most part, it [the extra paperwork] really affects an artist's mindset, and that affects you too creatively, not just in practice."

- 22.** Some participants, emerging artists in particular, mentioned being offered last-minute work in the EU. This has become increasingly difficult to accept, because of the up to 90 days within any 180 days regulation and the additional administrative paperwork.

- 23.** Many participants spoke of their frustration with the postal system and the delivery of goods, since Brexit, in relation to merchandise.

- 24.** One participant, who runs a record label, explained how some EU companies have refused to deal with them as the paperwork had become so onerous.

Travel and border issues

- 25.** All participants raised concerns about the limit on stays of 90 days within 180 days. This impacts performing artists and creative workers in different ways. For example, a musician might support several different tours during one stay in the EU – this is no longer possible.

"I'm pessimistic...it's such a regression from where we were, when I could just load my car up with my instruments and do whatever I wanted essentially in 27 other countries, which are generally, the cultural hub of the world."

- 26.** One participant explained that 80% of his work was in the EU, pre-Brexit. The stay of 90 days within 180 days makes this impossible, resulting in a loss of earnings.

- 27.** Other participants gave examples of having to turn work down in the EU because of the up to 90 days within any 180 days.
- 28.** Some participants explained how the up to 90 days within any 180 days also impacts their personal travel arrangements, for example, family holidays.
- 29.** Participants spoke of the challenges of travelling to the EU with musical instruments and the continued confusion regarding carnet requirements.
- 30.** Many participants illustrated how they source musical instruments locally when performing in the EU. However, this is not always possible.
- 31.** Some participants gave examples of touring artists travelling to the EU in their personal vehicle carrying only their own merchandise, having to buy a freight ticket, which is far more expensive.
- 32.** Orchestras are highly impacted by the changes, particularly the cabotage rules, whereby a vehicle over 3.5 tonnes is only allowed three stops, before having to return to the UK.
- 33.** Many participants spoke of the lack of knowledge and understanding of the new regulations by border officials in the UK. For example, artists were told in Dover that they needed carnets for their guitars, which was not the case.

"Border officials within the UK need to be better trained...they're still clearly still confused about the rules."

- 34.** Some participants, who promote international festivals in Wales, spoke about the unfortunate welcome sometimes faced by EU traders arriving in the UK, including Wales.

"It should be clear-cut – they're [European artists] coming in for an activity of this nature....and we want to be encouraging that and making it a friendly place to trade with."

- 35.** Other participants spoke about facing the same confusion at EU borders too, for example, recently in Sweden.

Lack of confidence

36. Participants shared their nervousness about the administrative paperwork and the implications of “getting it wrong”, particularly among young and emerging performing artists.

“One of the biggest things that has occurred is the knock of confidence on the trade going both ways, post Brexit. There is certainly the lack of confidence in the process.”

37. Some participants, specifically emerging artists, illustrated the challenge of having to take responsibility for so many roles.

“We do a lot ourselves, we organise tours, we're the agent, we're the manager and even the thought of learning all those things and making sure you do them right is so overwhelming.. ... it puts you off unless it's really worth it.”

38. Some participants explained how the new regulations have stifled their aspirations to develop as international artists.

“In the long run it limits a person's ambition, there is so much red tape to travel and to consider travelling.”

39. Many participants spoke of the lack of advocates for emerging performing artists to help develop and promote the music industry on a national and international level.

“I see myself as quite a privileged artist, I'm a musician and I have a large team of people behind me. If I didn't have management backing me.....I suspect I would be completely lost in a world of paperwork and I wouldn't do it.”

40. Some participants shared a concern for future generations in the culture sector, specifically in the music industry in Wales.

41. Participants said there is a marked decline in the opportunities available to nurture young musicians in Wales, particularly those from a disadvantaged background.

42. Some participants compared the opportunities available to them to perform within the EU, from an early age with the limited opportunities available to young musicians today.

"It was so much easier to go abroad to perform. Now, it's all red tape... is going to break young people's hearts before they start, from both sides. That's sad."

Dwindling networks and partnerships

43. All participants agreed that the new regulations have put a strain on existing partnerships and networks with the EU.

"Wales is pretty good with community arts, we have a pretty great level of experience within the sector and to be able to share that, and to learn.....well, that's gone."

44. One participant, the director of an international music festival held in Wales, suggested the new regulations could have an impact on the support of international sponsors for events in Wales, which in turn would affect opportunities for Welsh artists.

"I fear the barriers will make Wales less appealing to international sponsors. Why sponsor a festival in Wales if it costs them a quarter of the price to do the same elsewhere in Europe?"

45. Participants spoke about their concern about the impact of lost networks and partnerships, on Wales, as a result of the new regulations.

"I worry that Wales is becoming less appealing to organisations and companies that have been so supportive in the past."

46. One participant said that three of his agents were finding it increasingly difficult to support him, as their European networks *"had disappeared."*

47. Participants explained the economic impact of the new regulations on businesses in Wales. For example, some music instrument companies in Wales are facing increasing challenges buying instruments from the EU, which in turn, restricts music instrument sales in Wales.

Impact on creativity

48. Most participants expressed concern about the impact of waning networks and partnerships with the EU, on creativity within the culture sector in Wales,

"It's culturally important to share and exchange artistic ideas. It's a way of bringing countries and cultures together."

49. Many participants illustrated the benefits and value of co-production and working in partnership with organisations and companies within the EU.

"You miss that excitement of sharing ideas.....the ability to stand shoulder to shoulder with other artists and other cultures and have that respect for each other."

"We've left Creative Europe and that's a real shame because we didn't have to as a result of leaving the EU and that is obviously going to mean less funding, fewer opportunities to have partnerships".

50. Some participants are concerned about the decrease in the number of European musicians and other performing artists travelling to the UK, including Wales, to study and perform - *"we are losing both ways."*

51. Other participants illustrated the *"talent drain"* whereby performing and touring artists with an EU citizenship are leaving Wales, to take advantage of opportunities within the EU.

"When we lose the arts, we lose much more than we think."

Guidance and support

52. All participants feel the lack of guidance and support has been one of the biggest challenges facing performing artists and creative workers, who want to perform and tour in the EU since the new regulations came into effect.

"You would have expected for a government that drove legislation to remove us from the EU, would have established a supportive network of advice and guidance that could help you navigate professionally through [the changes]."

Access to information

53. All participants agreed that accessing information regarding the new regulations has been very challenging, if not impossible at times.

"As much as I hate what Brexit has done, I can get on and deal with that, but I can only do that if I have the right information."

54. Participants spoke about having to contact numerous organisations and websites, for example, the Independent Society of Musicians, Musician's Union, Wales Arts International and the website, ukeartswork.info to access information about the new regulations.

55. Many participants explained how difficult the information is to understand and that they are being treated like traders, rather than artists.

56. Some participants mentioned there has been no attempt to publish accessible resources, for example, easy-read content.

57. Some participants said that there is some support available, for example, the website, vivalavisa, but it is not well advertised.

Confusing and conflicting information

58. All participants referred to the complexity of the new regulations, particularly the fact that the requirements are different for each of the EU member states. For example, not all countries offer up to 90 days within any 180 days stay; Greece offers one day at one performance before a visa is required.

"We have had to spend our time trying to understand something that was pretty impossible to understand for the first couple of years."

59. One participant illustrated the 'strange' requirements of some EU member states, for example, the Netherlands.

"The Netherlands has quite a strange requirement; you need to be a substantial or essential part of a noteworthy artistic event' to take advantage of their visa and work permit waiver.....Now, who's that?"

60. All participants expressed concern about the misleading and conflicting information shared, even on the UK Government website.

"That [conflicting information] is actually causing more problems than the actual changes themselves because it's stopping people from going in the first place."

61. Some participants mentioned the UK Government website is still not being updated regularly.

Lack of management infrastructure

62. Participants agreed that there is a lack of management infrastructure in Wales to support performing artists, particularly emerging artists, to develop their careers on a local, national and international level.

3. Improving future cross-border working

63. Participants suggested ways of improving cross-border working and restoring performing artists' and creative workers' confidence in performing and touring within the EU.

Recommendation 1. Accessible management infrastructure supported by the Welsh Government, where performing artists and creative workers could access practical advice and support to manage and further their professional development, on a local, national and international level.

"If only there was a little army of people that can be funded in some way and that a young band or musician can go to and they can say I've got this gig can you help me.....I'm sure if there was just that help

there...as I have...that would be a first step to restart this whole movement."

Recommendation 2. Accessible, accurate guidelines on the new regulations.

"In terms of my personal experience, we need to make it easier and simpler for companies to understand the rules....that would then have an impact on the opportunities available to performers like me."

Recommendation 3. Tax incentives or Welsh Government funding to encourage cross-cultural exchange between the UK and the EU.

"Significant work needs to be done, to mend the relationships with international markets.....It's so important within the creative industries....It's difficult to do business on a bad feeling."

Recommendation 4. Streamline merchandise paperwork for performing and touring artists.

"We haven't got the same aspiration [to work cross-border] anymore. Why would you do it, when there are obstacles in the way?"

Recommendation 5. Reduce the cost of carnets and subsidise the deposit required.

Recommendation 6. Visa waiver agreement for performing and touring artists.

"We're so [geographically] close to European countries, I want to make that border as convenient as possible in terms of encouraging artists to travel...We're going to lose important partnerships if that doesn't happen."

Recommendation 7. Support performing and touring artists to seek cultural opportunities beyond the EU.

"Far beyond Britain and Brexit, the world is moving forward, and pleasure ship companies are expanding.... As far as I am concerned the sea will be the future."

Recommendation 8. Develop and support cultural opportunities in Wales.

"If musicians and people in the cultural industry are losing work abroad, we need to try and replace it here [in Wales]."

Recommendation 9. Create a new role, Culture Commissioner for Wales to re-establish and nurture new partnerships and networks with the culture sector in the EU. This role could also be an opportunity to support performing artists and creative workers in Wales, whilst also promoting a more positive attitude towards the culture sector.

"There needs to be more investment.....if we are serious about supporting our artists and their careers."