

The Society of Authors

DCMS has announced that Public Lending Right (PLR) is to be run by the British Library. This decision has been made despite overwhelming opposition by respondents to the consultation [Note 1]. We regard this as an absurd move, which tinkers with a highly efficient organisation solely in order to satisfy the political objective of being seen to eliminate a quango. However, we are pleased to note that day-to-day running of the scheme is to stay with the existing PLR operation in Stockton-On-Tees, with staff becoming employees of the British Library from 1st October when the changeover takes place. [Note 2]

The current Registrar, Jim Parker, will lose his title but will remain in post until March 2015, when he will step down one year early from his five-year contract. Jim Parker has been an excellent Registrar and we are delighted that he will be staying another two years though very sorry that he will be leaving early. We are concerned at the statement that *"Under the British Library's proposalsthe postholder of the current Registrar appointment would be contracted from the transfer/abolition date for an appropriate period of time to ensure a smooth transition, and successful knowledge transfer. After this transition period, a new Head of PLR, likely to be based in the Library's site at Boston Spa in Yorkshire, would assume responsibility for the management of PLR (which would remain in Stockton-On-Tees)"*. This means that from March 2015 the Registrar for PLR will be based over 50 miles away from the staff. We question whether this plan is realistic or can deliver efficiencies.

The Government states in its response that it believes *"that transferring the PLR functions into a larger body presents further opportunities for efficiencies than would otherwise be achievable and consequently offers to maximise the proportion of available grant-in-aid to be distributed as author payments."* Aside from our concern that DCMS characterises PLR payments as "grant-in-aid" when they are in fact statutory equitable remuneration for lending rights owned by authors by virtue of their rental rights, the Society will be watching carefully to ensure that such savings are made and are passed on to authors: the accompanying Impact Assessment is not at all clear about how these proposed efficiencies are to be realised. [Note 3]

The response quoted the Society's comment: *"The current PLR Office is light on bureaucracy, very economically run, and strong on service. A transfer to a new body would inevitably involve teething problems and increased bureaucracy."* We hope that the British Library can run PLR as effectively as it is run at present and that there will be no problems with the transfer. Chief Executive, Nicola Solomon, will be meeting Roly Keating at the British Library to discuss the future running of the Scheme and its impact on authors.

We remain concerned at the possibility there could be a conflict of interest. The British Library has been at the forefront of pressing for restrictions on copyright and widening free access to literary works. The British Library's position is that it *"operates at the fulcrum of the copyright balance"*. This is not fully consistent with PLR which exists to protect authors by providing for payment for the use of their copyright works.

Society of Authors' response to the DCMS response on Consultation regarding transfer of PLR functions

In total, 1,015 consultation responses were received, and the Government rightly comments that the large response reflects the importance of PLR to authors and other rightsholders, and the esteem in which the current PLR office is held by its customers. This is an extraordinarily high level of response and we thank all our members who wrote in support of the current PLR regime, thus illustrating the importance of PLR to authors.

The Society is now pressing for PLR to be extended to ebooks and audiobooks and to lending from all libraries, including volunteer libraries. As getting rid of the Registrar and ending PLR's autonomy necessitates primary legislation, and as the Sieghart report rightly recommends that PLR be extended not only to audiobooks and on-site e-lending (with an accompanying increase in the money available) but also to remote e-lending we will strongly urge that this opportunity is taken to amend the PLR Act in all these ways at the same time. [See our comments on the Sieghart review.](#)

Note 1 DCMS ran a 12 week public consultation between 8 May and 30 July 2012 on the proposal to transfer the PLR functions to another public body. The consultation document outlined a number of options, including the Government's preferred option of a transfer of the PLR functions to the British Library. A summary of the consultation responses was published on the DCMS website on 17 October 2012. of the 947 respondents who answered the main question - whether PLR should be transferred to the BL (i.e. excluding the 3% Don't Knows, etc.):

- 948 (96%) said no
- 30 (3%) said yes
- 9 (1%) said PLR should be transferred to ALCS (8 people) or PLR for Welsh authors should be transferred to a new devolved body in Wales.

TOTAL 3% in favour, 96% against.

Note 2 The report states that the British Library has modelled its costs on retaining the operation at Stockton on Tees for the next 10 years, and it has no plans to transfer the operation to Boston Spa in the next 10 years, although the effectiveness of this arrangement will be reviewed after 5 years. As a result the service, and the staff providing it, will be maintained throughout the transition period.

Note 3 The report says *"Now, following planning by the Registrar and the British Library, we are able to confirm that a transfer to the British Library would achieve additional net present value (NPV) savings of between £0.75m and £0.81m in the running costs of PLR over the 10 year appraisal period set out in the accompanying Impact Assessment. These savings are additional to a number of savings that have been identified by the Registrar which we will work to achieve in addition to the transfer. "*

The Government argued: *"Transferring the PLR functions into a larger body has the potential to achieve greater efficiency savings than are achievable by a small body operating at near maximum efficiency."*

Libraries minister Ed Vaizey said *"Authors will not notice a difference in how they apply for or receive money. PLR is a good and sensible scheme. It helps authors get some return when their work is borrowed from a library rather than purchased outright. But, like so much else, it has to adapt to take proper account of the difficult economic climate at present. So this transfer is designed to help*

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'future-proof' the scheme, and maximise payments to authors by delivering future administration savings. I hope that, by bringing it under the overall control of the British Library, it will also benefit from the opportunities that come from being part of a larger organisation."