

To put it simply, the Creative Industries is where people make money for their ideas. This can be ideas from songwriting and composing, painting and drawing art, screenplay and film writing to ideas for video games, inventions, logos, trademarks, and designs for everyday household objects such as chairs, tables, iPods and phones.

The Department for Culture, Media and Sport (DCMS) describe the Creative Industries as such:

“Those industries which have their origin in individual creativity, skill and talent and which have a potential for wealth and job creation through the generation and exploitation of *Intellectual Property*” [DCMS 2001] [1]

The Creative Industries makes money by exchanging ideas. These are called Intellectual Properties. IPs are things mentioned as such in the opening paragraph. These ideas are either licensed to other companies to use in a specific way, exploited to generate money by the original creator or just to be sold on completely.

The World Intellectual Property Organisation (WIPO) describe Intellectual Properties as such:

“Intellectual property (IP) refers to creations on the mind such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce.” [WIPO 2012] [2]

The Creative Project within our HNC class is to release original music of local bands digitally on the record label “Battery Park Records”. These are being distributed on a website called “Bandcamp” which allows you to upload and sell your music on their website. Through recording and selling local artists music we are using their Intellectual Property to make money for both themselves and the label.

Organisations within the Creative Industries are run differently depending on the size of them. This can be put into three different categories: sole traders, partnerships and limited companies. Because of the differences in size each different type of organisation they will each have different responsibilities.

A sole trader is a single person who runs a business independently. Since it is only one person all responsibilities lie on that individual. This includes being there to run the business, keeping track of all the stock and marketing, handling the financial stability of the organisation as well as handling any other legal matters. This person will own exclusively any intellectual property belonging to the organisation and will be responsible for any licensing agreements that have or will be made.

A huge consequence of being a sole trader is that if you are not available to work yourself your whole business is halted and you will not have any source of income until you are ready to work again. This can be a huge problem if a sole trader falls ill and does not have any money saved to support them until they are better.

An example of a sole trader within Shetland would be Davie Gardner, a local promoter. He works independently sorting out gigs on the island. He would take on such responsibilities such as liaising with the artists and booking venues for them to play. With such a role as this he may delegate some of his tasks to other business partners he has but at the end of the day if anything goes wrong with the gig the money would come out of his wallet.

Another type of organisation very similar to sole traders are partnerships. To put it simply partnerships hold the same responsibilities and hold the same consequences if something does go wrong except that this is shared by a small group of people.

Depending on what their agreement with one another is, whether it is a verbal or written contract, will change what happens with profit splits or when a situation arises.

If there isn't any sort of agreement the 1890 Partnership Agreement states that all profits shall be split equally. Each partner also has the right to have a part in managing the company and any decisions made will have to be a majority vote unless it they are changing the business significantly where it must be a unanimous vote.

As there is more than one person within a partnership it means that the responsibilities can be shared to make managing the business a lot easier. There must be good communication with the members because the partnership itself is not classed as a legal entity. This means that blame can't be put on the company but the individuals themselves. For instance if one person makes a bad decision where they are being sued not only the person responsible for the dilemma can be sued, but either any or all of the partners can be sued.

This is why working in a partnership can be a risky move if you are not working with people you trust and have agreements in place to avoid such situations taking place.

An example of a partnership working in Shetland would be Ragged Wood Promotions. They are run by Neil Riddell and Kelly Riddell and what they do is help to bring up Singer-songwriter and Americana acts to Shetland for gigs.

When a partnership becomes a bigger entity this means that they can become a limited company. Limited companies tend to have much more people in a one business but they're main difference to a sole trader or partnership is that they are a legal entity.

The reason they are called limited companies is because they have a limited liability. This means in a case where they are being sued it is any assets or money that have been invested into the business that will be in question and not a sole members own properties or money. This is a much safer way to run a company because if things do go wrong it is not your own financial security that is at risk.

There are a lot more legal aspects to set up limited companies but the same sort of responsibilities and decisions are relevant to them as they are with sole traders and partnerships.

There isn't exactly a limited company in Shetland that deals with the creative industries. The closest thing to it is Shetland Arts. Shetland Arts are a charity funded organisation that is a collective of volunteers. Shetland Arts were the ones who built Mareel and the Mareel itself runs as a "for profit" business.

Battery Park doesn't seem to exactly fall into any of these categories too well as it is a charity funded organisation that is a subsidiary of Shetland Arts but it is most closely linked to a partnership. Battery Park records gets its funding from the Shetland Arts charity trust fund. This year there were no funds to go on so we are on a zero budget.

The roles and responsibilities are shared equally within the group. We each have our own area to focus on but we also help each other when there is no work to do in our specific area or there is a lot of work in one certain area.

For trade organisations that are starting or just simply need help there are certain places that can provide advice to you or to help fund you with a loan or a grant. When it comes to being funded you must meet specific criteria to receive the money. For instance, if you are being given a loan one of the criteria is more than likely going to be how the business is going to make profit to be able to pay back the loans.

A local organisation that could potentially help us with Battery Park is from the Shetland Islands Council's Shetland Arts Fund. This is in place to help voluntary organisations by giving them a means of funding so long as it will make a "lasting difference in the community". It is also mentions that this fund can be applicable to a vast amount of areas within the creative industry.

Since we would be classed as a project they would be able to provide up to £1,500 funding which would definitely help for costs of recording new artists.

The Shetland Arts Fund would be a perfect place to receive funding as we fit the criteria but it seems as though they do not give out advice to the organisations they are working with.

Another organisation that could help us with advice and help is the Association of Independent Music (AIM). AIM is an organisation that consists of independent artists and labels. This can include artists or labels that have just started to well known names such as Adele, Arctic Monkeys, Queens of the Stone Age and The White Stripes.

AIM is represented by it is members and they hold meetings where they discuss topics that are affecting them directly within the industry. They attempt to solve these problems by lobbying politicians because since there is such a big number of them it will be noticed.

On top of this they also lend loans of up to £25,000 to it's members to help their businesses grow.

This would be helpful for Battery Park as we are an independent label and it would be great to be joined with other labels and artists in the same situation as us. We could also benefit from the loans they give out.

The Performing Rights Society (PRS) for Music is an organisation that would hugely benefit for us getting involved in. the PRS are a royalty collection agency. This means that whenever a song is used in a film, tv show or game or played in shops, on the radio or live they collect money from the people using the songs to give it back to the artists who have composed the music or played the song where applicable.

Anyone can sign up to the PRS after paying a fee. Once they have collected a certain amount from the song that is registered with they will send you cheques on a regular basis so long as you are still gaining royalties.

This would be perfect for us as we are signing up artists who have recorded their own original songs. These original songs could be picked up and played anywhere from anywhere as minor as being played on SIBC or being played in a hit Hollywood movie and without signing up to the PRS it would be difficult to do anything about collection the royalties yourself.

Networking is a fantastic thing for anyone within the creative industries to do. Basically, networking is liaising with other people in the creative industries with an aim to benefit both parties in a way that will either help them financially or to get work. It is a great way to create contact to an existing business or help a starting business get a foot in the door. Networking can take place in many different forms from actually going to conventions especially for it or as simple as speaking to the right people at gigs or parties.

To be successful at networking is quite simple. It entails a bit of charisma and a lot of common sense. If you are polite and enthusiastic to the individual you are liaising with then they will show more of a general interest in you rather than if you were impolite to them. Another crucial step is to follow up on what you have talked about so they know you are serious about what you previously discussed.

Within Shetland there are a few networking opportunities that would benefit Battery Park. First of all, because Shetland is such a small and tight-knit place most people within Battery Park already know who to contact if they need something done. If there are contacts we need to get to know ourselves then the best is definitely the vast variety of gigs that take place all over the year, with the biggest being the Folk Festival. There are also others that happen annually such as the Blues Festival, Fiddle Frenzy, Oxjam, Battle of the Bands and Heavy Metal Buffet.

Any of these is a great way to meet the people that play in bands as well as the people that actually run and put on the gigs.

Another huge opportunity for networking is at Mareel. Mareel is basically the hub of the Shetland music industry and you can find people working within the industry there every day.

It's a great place to get in contact with people who are producers, sound engineers and involved in marketing.

Probably the biggest form of networking in the creative industries is through conventions, forums and events.

South by Southwest (SXSW) is most likely the biggest event of them all. It is held in Austin, Texas and the music part of the convention lasts from March 17th till the 22nd. They hold many different panels and talks throughout the day and at night they showcase the talents of many different musicians with varied style.

A convention a little closer to home is goNORTH which is located in Inverness. Their aim is to showcase the musical talent of Scotland. They once again have many panels and talks throughout the two days that they are on.

goNORTH is a perfect place for anyone in Scotland, including us at Battery Park, wanting to or are already a part of the creative industries to go to as some of the biggest Scottish names in the industry will most likely be there. It's a great way to create more contacts and give us more information about how the industry is evolving at this moment in time.

It would be highly beneficial for us in Battery Park to attend a convention such as goNORTH because of these reasons.

List of References/Readings:

[1] DCMS - Creative Industries Mapping Document 2001

[2] WIPO - [What Is Intellectual Property?](#)

Shetland Arts Fund - http://www.shetland.gov.uk/grants/shetland_arts_fund.asp

Shetland Arts Fund Guidelines -

<http://www.shetland.gov.uk/grants/documents/ShetlandArtsFundGuidelines.pdf>

AIM - What is AIM? - <http://www.musicindie.com/about>

SXSW - <http://sxsw.com/music/about>

goNORTH Programme - <http://gonorthfestival.co.uk/festival-programme>

Presentation slides from class lectures