



1981

2021

Celebrating 40 years of service
to the publishing industry

PLS chairs 1981 - 2021

Anthony Henton 1981 to 1984

Peter Mason 1984 to 1989

Charles Clark 1990 to 1992

Nicolas Thompson 1992 to 1996

Maurice Long 1996 to 1999 and 2004

Neil McRae 1999 to 2002

Bob Kiernan 2002 to 2004

Martin Richardson 2005 to 2006

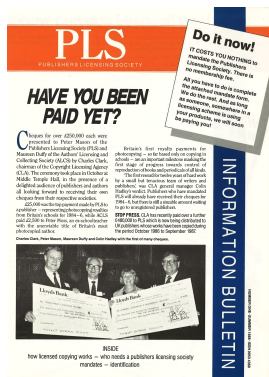
Chris Collins 2006 to 2007

Graham Taylor 2008 to 2010

Mark Millar 2011 to 2013

Mark Bide 2013 to 2019

Rosie Glazebrook 2019 to date



THE 1980s: ORIGINS AND CREATION

PLS' story starts with the photocopier. An invention that some think will soon be obsolete was in the ascendancy in the 1970s, becoming widely used to reproduce material - including from books, journals and magazines. Before its arrival, copying printed text required laborious photographic methods or retyping, but the photocopier made it easy, fast and cheap - ink costs notwithstanding - to reproduce large amounts of content, and even create serviceable bound copies of entire books.

Publishers watched the rise of the photocopier with alarm. Particularly concerning were the rising levels of copying in education, especially 'study packs' that collated all the text needed for students' entire courses, drawn from multiple sources. School and academic publishers and some of their authors noticed significant impacts on their textbook and workbook sales, and started to demand compensation for the use of copyright material produced by authors and published by publishers.

Pitched against them were institutions who argued that the principles of free access to learning entitled them to make free and copious use of material, regardless of the right to do so. It was the most urgent manifestation yet of an issue that has exercised legislators ever since the concept of copyright was born: the balance between society's wish to use content and the interests of the people who create and own it, usually through the argument of 'fair dealing'.

ENQUIRIES, REVIEWS AND ACTION GROUPS

In 1977, complaints from both sides were tackled in a wide-ranging government enquiry under Mr Justice Whitford - an overdue first review of law since the Copyright Act of 1956. After more than 100 meetings and 300 submissions, Whitford's conclusions included a welcome reminder that unauthorised reproduction of material was an infringement of copyright. Rather than changing laws, he proposed blanket licensing as a way to provide compensation, and in doing so pointed to the success of the Performing Right Society (PRS), founded in 1914 to protect the copyright of composers, songwriters and music publishers.

The model Whitford favoured - of copyright owners sharing collective remuneration at a negotiated rate for the copying of extracts from their content, in return for foregoing the right to take legal action - remains in place today. His report encouraged voluntary action to avoid the burden of regulation: licences instead of laws. However, it soon became clear that agreement over terms, between those creating content and those copying it, would be hard to reach.

Undeterred, having accepted Whitford's report, the publishing industry, led by the Publishers Association (PA), pressed on with efforts to make collective licensing a reality. First, it pulled together a cross-industry committee of other

19
80s

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1977

Whitford Report on Copyright law proposes collective licensing

1977

Authors' Licensing and Collecting Society is established

1979

Public Lending Right establishes authors' right to receive payment for library loans

bodies including the Periodical [later Professional] Publishers Association (PPA) and the Association of Learned and Professional Society Publishers (ALPSP), along with groups pulling in the same direction on behalf of authors and musicians, including the Society of Authors, Writers Guild, Composers Guild and Music Publishers Association. They were chaired by Lord Wolfenden, director of the British Museum and more widely known today as the author of the 1957 report proposing homosexual law reform.

RESISTANCE AND PERSUASION

All these bodies faced the task of persuading those copying content that blanket licences were a fair and practical solution for all concerned. They had some early success - notably among Scottish local authorities, who soon accepted the necessity and value of licensing - but struggled to get traction for the concept in England and Wales, where animosity between publishers and schools and universities persisted. PLS' board minutes note of one early meeting with vice chancellors that: "Considerable disquiet was expressed about university and polytechnic users being forced to forego their fair dealing rights. They also believed that the proposed level of payment was too high."

There was plenty of resistance within the publishing industry too, with some businesses, especially in the education sector, unconvinced that licences would generate proper recompense for copying, or offer proper protection against infringement. Pockets of support remained for a Code of Practice instead,

reinforced by prosecutions for illegal copying when required. A long round of meetings by trade associations and supportive members with leaders across the book, journal and magazine publishing sectors gradually brought more businesses round to the idea. This patient task force - known initially as the Committee of UK Copyright Owners, until it was pointed out that the acronym was unfortunately close to CUCKOO - helped to persuade publishers that the value of collectively licensing the use of extracts exceeded the costs of direct licensing and enforcement, delivering potentially valuable revenue straight to the bottom line.

Eventually, a combination of persuasion and legal actions - a classic 'good cop, bad cop' approach - turned the tide in favour of collective licensing for copiers, too. A handful of high profile cases brought against universities and colleges - backed up with evidence from intrepid undercover visits to campuses and libraries to uncover the huge scale of copying - helped to show the education sector that the law was on the side of rights holders, and that licences were a fair and proper resolution. One particularly persuasive element of the solution was that licences included an indemnity - not falling on the publishers and authors themselves - that offered licensees important security.

WORKING WITH AUTHORS

This cleared the path towards a formal licensing agency, with the working title of the Publishing Collecting Society. After Lord Wolfenden, work towards its creation was steered by renowned

copyright expert Denis de Freitas, chairman of the British Copyright Council and a deft juggler of different interests. Before it could be launched, however, agreement had to be reached on how the money from licensing should be divided between the publishers of content and the original creators of it.

Authors, naturally, were as keen as publishers to secure compensation for copying, and had the head start of an established campaign. The Writers Action Group had been set up to fight for authors to receive money for the loan of their books from libraries, and in the late 1970s, after nearly three decades of efforts they won their battle with the creation of the Public Lending Right (PLR). Distributing a government-funded pot of money to authors, based on the volume of loans from libraries, is a simple and effective system that remains in place today, sharing out some £6m a year.

Emerging from the success of the PLR campaign, the Authors' Lending [soon Licensing] and Collecting Society (ALCS) was ready to collect the monies due to creators for other secondary uses of their content, and in parallel with publishers it campaigned vigorously for compensation for copying. By now it was obvious that publishers needed a counterpoint to ALCS: an agency that could oversee licences and direct money from them to the businesses that owned the rights to content that was copied. With the help of de Freitas, the Publishers Licensing Society was in sight.

1981

Publishers Licensing Society is formally created by the PA, ALPSP and PPA

1983

Copyright Licensing Agency is created by PLS and ALCS

1984

CLA issues its first licence

PLS IS BORN

PLS was incorporated on 17 July 1981, before its inaugural board meeting took place on 4 September 1981 at the PA's offices in London's Bedford Square. Attending were the six founding directors, who then as now were drawn from the three trade associations that created PLS: Norman Franklin and Kenneth Pinnock from the PA, Antony Henton (the first chairman) and Robert Millson from ALPSP, and Gordon Hurst and Peter Mason from the PPA.

Funding of PLS' start-up costs was also split between the associations in the form of loans, with publishers themselves lending money later as well. Early administration was handled by associations' own directors and staff, including the PA's Peter Phelan as PLS' first secretary and Clare Cheney as the first administrator.

After dealing with formalities like company registration, VAT, banking and auditors - and, a standard step at the time, approving a company seal - the minutes of the meeting note with some uncertainty that the appointment of a PLS manager, sub-committees and financial planning should be paused "until such time as it becomes clear what will be the nature of the business of the company."

NEW ROLES AND FIRST LICENCES

This reflected ambiguity as to whether PLS, along with ALCS, should seek to issue licences itself, or whether a third party would do so. Returning to

the recommendations of the Whitford committee, de Freitas steered things towards the latter, and work on this central body culminated in a tripartite agreement in 1983 to create the Copyright Licensing Agency (CLA) - or, as the early minutes have it, the Copyright Licensing Authority. Then as now, its brief was to develop licences for copying; ensure they set agreed limits and fees; collect the money for them; and distribute it to copyright owners via ALCS and PLS, minus expenses.

Also just as it is today, CLA was directed and controlled by its founding members, PLS and ALCS. The Design and Artists Copyright Society (DACS) and the Picture Industry Collecting Society for Effective Licensing (PICSEL), who look after the rights of visual artists, became members later. (Those following copyright knew by now that a good understanding of acronyms was essential to understanding developments.)

The value of a semi-detached licensing operation was soon apparent. Like publishers and authors before it, CLA had to overcome resistance from those who were copying content, especially among academics and local authorities - and in something of an ironic twist, its first office was rented from the Library Association, whose more militant members had resisted collective licensing for so long.

The 'fair dealing' argument for unrestrained use of content persisted, but after several years of laborious negotiations, combined with recourse to legal action, in May 1984 CLA issued its first licence. Two years later it struck a landmark deal with local education authorities responsible for the state school and college sectors, covering 300,000 institutions. Licences in other areas of education, government departments and the private sector soon followed, and by the late 1980s CLA was doubling its licensing income every year.



• PLS Annual Rights & Licensing Forum 2018, Stationers' Hall.

Hugh Nutt

19
80s

03

1987

PLS makes its first distributions to publishers, worth around £260,000

1988

The Copyright, Designs and Patents Act overhauls copyright legislation and strengthens collective licensing for photocopying

FIRST MANDATES AND PAYMENTS

With CLA handling licensing, PLS could turn its attentions to the job of securing mandates from publishers, initially from the members of the PA, ALPSP and PPA. A critical mass of publishers was needed to establish PLS' authority as a broker of collective licensing, and within two years of our creation, nearly 200 had signed up - then, as now, for free and on flexible terms. While publishers' rights in many parts of Europe and beyond were collectively licensed under statute, signing up in the UK has always been voluntary rather than compulsory - which keeps pressure on collective management organisations like PLS to deliver a good service and revenue in order to retain mandates.

£260,000 Value of first distributions in 1987

However, in our early days some publishers - especially those providing educational books and journals - continued to feel that income from collective licensing would not adequately compensate for lost sales, while others expressed doubts that a non-statutory scheme would provide enough protection against infringement. There were also differences of opinion about the mechanics of licences, with some arguing that holders should be required to keep full records of their copying, and others happy to settle for a sample to determine the sums due to rightsholders.

With few overheads and no dedicated staff, PLS was something of a shoestring operation in its first few years, with total expenditure for 1983 totalling just £14,000. This low-key approach was deliberate, and directors were keen that PLS should deduct as little money as possible from the totals due to publishers.

But the slow progress on agreeing licences and subsequently generating income, while debts mounted, was causing concern. Although CLA agreed its first licence in 1984, it wasn't until 1987 that there was enough money in the pool for the first payments to be made. When they came, CLA's first cheques, totalling £518,000, were split down the middle between PLS and ALCS. PLS thus had its first pot of cash to share among publishers, worth nearly £260,000 before PLS' deduction for its modest expenses.

This first distribution round strengthened the case for collective licensing. Publishers could now see the benefit of licences in their accounts, and had evidence that licences issued by CLA were becoming adopted and respected by their users.

The consolidation of collective licensing was also important against the backdrop of changes to copyright legislation in the late 1980s. Legislation had changed very little since the Copyright Act of 1956, and was finally replaced by new legislation under the 1988 Copyright, Designs and Patents Act. PLS supported publishing's argument that the new legislation should properly protect content creators and rights holders, and the 1988 Act validated a coordinated approach to licensing, with specific provisions for licensing copying in education. The collective approach was now enshrined in law.

As acceptance grew, the number of publishers mandating PLS to handle collective licensing on their behalf snowballed to more than 800 by the end of the 1980s. Total distributions passed the milestone of £1m in 1989, and board minutes note that a PR specialist was hired to publicise the achievement, and a celebratory event - "a midday reception with a first-class buffet" - was arranged at the National Liberal Club.

1989

PLS' annual distributions pass £1m

1992

Number of mandating publishers reaches 1,000

1993

First Annual Reports and electronic transfers of information

THE 1990s: GROWTH AND CHANGE

As the 1990s began, there was already awareness that the copying of content was moving well beyond the photocopier. Minutes from a 1990 PLS board meeting warned of “the alarming speed of the development of electrocopying, and of the need for the Society to consider extending the scope of its activities.”

Desktop computers and a host of digital media that are now largely consigned to history, like CD-ROMs and floppy disks, were opening up new ways for individuals and organisations to store and transfer material. The rise of the fax,

which enabled people to transmit printed material around the world in seconds, was another concern. While some publishers felt the scale of digital copying would become so great that licences should be handled on a publisher-by-publisher and site-by-site basis, most looked to PLS and CLA to ensure that rightsholders were properly protected in the developing electronic revolution. The proliferation of digital media, and the increasing ease of copying, only confirmed the wisdom of the new collective licensing infrastructure.

PLS' five values

Transparency

Responsiveness

Accountability

Collaboration

Efficiency

19
90s

05



Doug McKenzie

- Author, Fay Weldon, presents cheque for licence fees collected by CLA from schools to Ian Locks, PPA Board member of PLS, at a celebration of CLA's 10th anniversary, 1992.

£500m+
Total distributions
since 1981

1994

First full-time manager, Caroline Elmslie, is appointed

1996

Copywatch campaign reinforces the value of publishers' rights

1997

Significant new tripartite agreement signed between PLS, ALCS and CLA

13 Chairs since 1981

A NEW PROFESSIONALISM

As new media emerged, PLS needed to evolve too. Much of the work to professionalise the organisation was led by Charles Clark, who joined the PLS board in 1985 before becoming chair as the 1990s started. Clark had a unique combination of publishing and legal expertise that put him at the heart of publishers' efforts to protect and promote their rights over several decades, and he had been instrumental in both the creation of the CLA and lobbying for publishers during revisions to copyright law. He continues to be remembered through the Charles Clark Memorial Lecture, co-hosted by PLS, to discuss copyright issues.

With the tenth anniversary reached in 1991, Clark oversaw improvements to PLS' infrastructure that reflected the scale of distributions that were now going out to publishers, which were well into seven figures a year by the mid 1990s. The PA's Peter Phelan became an active ambassador, steadily persuading more publishers of the value of collective licensing, and helping to step up communications with those who had already signed up - including through a quarterly newsletter, PLS Plus from 1990; and detailed Annual Reports, first published in 1993. That year also saw PLS record the first electronic transfer of information to and from publishers, which had previously been handled by post or fax.

A year later in 1994, Caroline Elmslie became PLS' first full-time manager. With permanent and freelance staff and support from our founding trade

associations, we began to raise our profile across the sectors we serve.

Relationships between the various bodies involved in collective licensing meanwhile evolved. Questions about how the money generated by CLA's licences should be split between PLS and ALCS, and about the balance of power between the trade associations directing PLS, had been around since well before our creation, and as the money involved increased, so did the debate about who was entitled to what.

At times these have led to tensions, with each organisation naturally inclined to promote its members' interests, and to argue for a greater share of the money being generated. However, disputes have always been resolved one way or the other, and throughout, authors and publishers have tended to be bonded by the common goal of protecting copyright and achieving fair recompense for the work they have created together. And if neither publishers nor authors have ever felt totally satisfied with their share of the takings, then at least one has rarely been more aggrieved than the other - leaving a steady state in which each side respects the other's work.

1998

Jens Bammel becomes first chief executive

2000

Annual distributions pass £10m

2002

The Design and Artists Copyright Society (DACS) joins the CLA board

MORE MANDATES AND MONEY

Caroline Elmslie was joined by publishing and copyright expert Richard Balkwill on endless rounds of publishing houses to educate about licensing and explain the benefits of PLS. New sign-ups flowed in, and we reached the milestone of our 1,000th mandate in 1992, then hit 1,500 just two years later. PLS had reached critical mass, with an authority in the industry that could no longer be doubted.

CLA grew sharply in the 1990s too, renegotiating some major licences in education and government departments on good terms. It created the CLA Rapid Clearance Service (CLARCS), a transactional system through which permissions to copy content outside of a blanket licence could be obtained on payment of a set fee per page. It worked to ensure that new agreements reflected the value of digital content that authors and publishers were by now producing, and the growing volume of electronic copying, especially in Higher Education.

CLA also stepped up its role in copyright protection, running a high profile 'Copywatch' campaign to educate people about the value of copyright and the penalties for infringing it, while a 'fighting fund' was used to bring legal action in particularly egregious cases. It led to another wave of licences across the private and public sectors, and further acceptance of the importance of protecting Intellectual Property.

CLA's energetic work meant PLS' payments to publishers entered a period of rapid growth, rising by double digits in percentage terms most years, and

passing £2m in 1993. Distribution became more efficient and transparent, and the sampling systems that were used to calculate the sums that publishers should receive grew more sophisticated. We also stepped up our efforts to track down the non-mandating publishers to whom money for copying was

owed - and to whom, usually, the new money was a welcome surprise. This is satisfying detective work that continues to this day, and while we are able to allocate well over 98% of our revenues, we remain as determined as ever that all publishers receive the licensing money they are entitled to.

30 million+ Academic articles available via Access to Research



• Charles Clark (PA), John Davies (PA) and Ian Locks (PPA) at Charles Clark's retirement, 1999.

19
90s

07

Conrad Blakemore

2003

Alicia Wise succeeds Jens Bammel as chief executive, following Richard Balkwill's interim period as acting chief executive

2004

Cumulative distributions pass £100m

PLS gradually became more active on the international stage too. Reciprocal licensing payments started to arrive from Europe, the US and elsewhere - small on their own, but cumulatively worth around £2m by 2000. We became active in the International Federation of Reproduction Rights Organisations (IFRRO), and had a more visible presence at international events and book fairs, helping to extol the virtues of voluntary collective licensing.

As the decade, century and millennium ended, PLS was in a much more

professional state than at the start of it. We had just welcomed our first chief executive in Jens Bammel, formerly of the PPA - an appointment that did much to improve both the infrastructure and credibility of PLS. Improvements to bring our systems into the 21st century and clean up the data we held had begun, and our first website was launched. And in the last year before the millennium, our payments to publishers reached £9.5m - nearly 40 times the value of the first round of distributions back in 1987, and taking the total since PLS' creation close to £50m.

PLS CHAIRS, 1981 TO 2021

Anthony Henton 1981 to 1984

Peter Mason 1984 to 1989

Charles Clark 1990 to 1992

Nicolas Thompson 1992 to 1996

Maurice Long 1996 to 1999 & 2004

Neil McRae 1999 to 2002

Bob Kiernan 2002 to 2004

Martin Richardson 2005 to 2006

Chris Collins 2006 to 2007

Graham Taylor 2008 to 2010

Mark Millar 2011 to 2013

Mark Bide 2013 to 2019

Rosie Glazebrook 2019 to date

6% The subvention top-sliced by PLS to cover operating costs

4,000+ Mandating publishers

19
90s

08

2004

First BACS payments made

2004

New bipartite agreement between PLS and ALCS

2005

New ebulletin launches

THE 2000s: A DIGITAL REVOLUTION

There was yet more acceleration in payments to publishers over the 2000s. Annual distributions tripled over the decade, reaching a best-yet total £28.4m in 2009-10. Cumulatively, the milestone of £100m was reached in 2004, more than half of it achieved in just four years - and £200m was passed only five years later.

The bulk of income continued to flow from the UK's education system. Money from the school sector rose from £3.4m to £4.3m over the decade, while income the FE and HE sectors doubled, from £3m in 2000 to £6.3m in 2010.

If growth here was steady, the most rapid increases in income came from the private sector and government, as CLA pulled in more and more licences. After the UK implemented the 2001 EU Copyright Directive, which opened up the possibility of licensing of uses for commercial purposes which had

previously been allowed under the 'fair dealing' provisions, there was a steep rise in money from licensing businesses, especially in the pharmaceutical, legal and financial sectors. More firms were now aware of the value of the content they were using and more sensitive to the perils of infringement, and between 2000 and 2010 PLS' income from businesses rose six-fold, from £1.4m to £8.2m.

New and higher value licences were rolled out to local authorities and central government departments too, and PLS' administration income here grew 13-fold - from just £222,000 in 2000 to £2.9m in 2010. Foreign income rose at a similarly exponential rate, from £1.9m in 2000 to £8.9m ten years later. The number of publishers mandating PLS for collective licensing grew alongside these numbers, approaching 3,000 by the end of the decade.

OUR FOUR DIRECTING ASSOCIATIONS

Association of Learned and Professional Society Publishers (ALPSP)

ALPSP is the trade association supporting not-for-profit organisations that publish scholarly and professional content, and the people who work for them. It has around 300 members in 30 countries, and provides a forum for the sharing of information and knowledge. www.alpsp.org

Independent Publishers Guild (IPG)

The IPG was founded in 1962 and now has more than 600 members of all shapes and sectors, working across the wide spectrum of UK publishing. It provides various practical resources and services to help independent publishers do better business, including events, training, mentoring, awards and advice. www.independentpublishersguild.com

Professional Publishers Association (PPA)

The PPA has supported magazines and multi-platform media businesses for more than 100 years. It represents 250 companies from many sectors, providing them with tools, groups and connections to improve their businesses, and promoting their success and value to the creative economy. www.ppa.co.uk

Publishers Association (PA)

The PA has been supporting and representing the UK's book, journal and digital publishers since 1896. It provides its members with resources on many areas of publishing, champions the industry in the wider world and campaigns for change where needed. www.publishers.org.uk

£38.6m Value of distributions in 2020

2007

First Digital licences are signed

2007

Annual distributions pass £20m

2008

PLSe launches

20
00s

09

MORE CHANGE...

However, beneath these sharp and apparently smooth increases lay some complex changes in collective licensing over the course of the 2000s, and some existential questions for organisations like PLS.

As in the previous decade, they were prompted by the digital revolution in publishing. Photocopying still accounted for the majority of income, but as the 2000s went on, scanning and other digital methods accounted for a far greater share of licence holders' reuse. CLA's major licence renewals reflected that shift with more provisions for digital copying - including, in 2005, a landmark new scanning licence for the HE sector.

As publishing established a new purpose, so discussions arose about the future of collective licensing. Should publishers undertake more direct licensing of electronic copying? Could reproduction rights organisations (RROs) keep up with change, and find a role as intermediaries between digital content creation and reuse? It soon became clear that while copying methods were changing for good, PLS' role was as important as ever. Obtaining direct licences for large-scale reuse of small extracts of content remained impractical and uneconomic, and the convenience of a single blanket licence was just as obvious in the digital age as in the analogue one. Publishers remained very supportive of our role, and we worked closely with them to make sure new digital clauses in licences met their needs.

... AND CHALLENGE

As well as responding to digital change, the licensing community had to robustly defend the rights of content creators to be recognised for their creativity and labour. The launch of broadband had made it much easier for people to access music, video and software online, and levels of piracy and illegal file sharing soared in all three fields. The publishing industry faced the same challenges a little later. Industries scrambled to respond with new business models, persuading people to access their content legally and protect it from misuse.

Widespread internet access reignited the old argument of a small but vocal group of users that copyright was an unjustified barrier to education, innovation and economic growth. Alongside this consumer backlash, some institutions and industries pushed back harder against the concept of licensing - most notably when Universities UK referred CLA's Higher Education licences to the Copyright Tribunal, necessitating a lengthy and expensive defence ahead of a ruling in 2001. Publishers also needed to be vigilant against the legislative weakening of copyright, with intermittent indications from governments - encouraged by technology companies - that protection might be loosened to reflect the new digital environment. As European law affecting copyright proliferated, PLS and publishing needed to keep a very close eye on developments in Brussels as well as London, to ensure that rules met rightsholders' needs.

All these developments were reminders that the principles of copyright and

collective licensing could never be taken for granted. Publishers, alongside record labels, film companies and software developers, had to make the case once again for their value, and show why copyright need not be seen as an unfair barrier to access. Licensing offered a fair and flexible solution to access. The tensions between consumers' expectations of free content and creators' right to charge for it were never far away during the 2000s, and they continue to be prominent today. But despite all the turbulence, licensing managed to evolve to keep all sides satisfied, if never totally content.

4 Directing organisations: the PA, ALSPP, PPA and IPG

2009

Cumulative distributions pass £200m

2010

Sarah Faulder succeeds Alicia Wise as chief executive

2011

Mandating publishers pass 3,000

2000s

10

A GROWING TEAM AND NEW DEALS

Over the 2000s, the huge growth in distributions and the urgency of promoting publishers' rights necessitated an expansion of the PLS team, which at the start of the decade had just three permanent members. Under the leadership of Jens Bammel and - after he left to become secretary general of the International Publishers Association, and an interim period under acting chief executive Richard Balkwill - Alicia Wise, we improved our infrastructure, conscious of the responsibility that came with the eight-figure sums we were now distributing each year.

Changes in the first half of the decade included a laborious but much-needed overhaul of our internal processes, moving from filing cabinets and postal correspondence to databases and a new contact management system. In 2001 we added more capabilities through a new administrator - Tom West, now our chief operating officer - and he was followed a few years later by our first communications and marketing manager to improve the visibility of our work; and a first finance manager, Lydia Murray, to oversee our growing distributions.



PLS Archive

- Alicia Wise meets Sarah Brown at a reception at Number 10 Downing Street to mark the 200th anniversary of Louis Braille's birth.

The systems revamp made our distributions to publishers easier and more accurate, and direct BACS payments from 2004 began to end the job of mailing out statements and cheques. A shorter and simplified mandate for publishers made it easier to sign up with us, and a new website helped us communicate our work better. A few years later we set up our first publishers' advisory panel.

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00s

11

98.6% Proportion of income currently distributed; the remainder is held in a non-mandating publishers account while rightsholders are sought

2012

New partnership with Newspaper Licensing Agency (NLA Media Access)

2013

First Code of Conduct published

2013

First appointment of an independent chair, Mark Bide

PLS CHIEF EXECUTIVES

Jens Bammel 1998 to 2003

Alicia Wise 2003 to 2010

Sarah Faulder 2010 to date

In 2002 the Design and Artists Copyright Society (DACS) committed to licensing through CLA, giving artists, illustrators, photographers and designers a fixed share of CLA's licence money alongside publishers and authors. As ever, the four-sided negotiations - between PLS, ALCS, CLA and DACS - were not without disagreements and some hard bargains, but they resulted in arrangements by which all parties could abide. Other important developments behind the scenes included a bipartite 2004 agreement between PLS and ALCS, settling once again how the substantial money generated from licences should be shared between them after payment to DACS.

By the end of the decade, licences for secondary use of content looked very different to those of the 1980s. Agreements with businesses, education and public administration all had comprehensive digital provisions, though PLS ensured that they addressed the concerns of mandating publishers, and

that they were only adopted on an opt-in basis. The way publishers engaged with PLS was very different too, thanks to the efforts of Alicia Wise and Mark Bide (see below) and the launch in 2008 of PLSe, a portal through which publishers could track payments and manage their titles and licensing settings.

The development of PLSe was a landmark moment for PLS, future-proofing our operations for the digital age and giving our users access to rich usage data and more control of their dealings with us. It has grown into what we know today as PLS Account Manager, with additional functions including revenue and usage dashboards and automated repertoire uploads. Its evolution showed how much both publishing and licensing had been transformed by technology over the decade.

14 Board members: three from each of our directing associations and the PLS chair and chief executive

2000s
12
2014

Access to Research project begins pilot phase

2014

Permissions service launches with PLSclear

2014

EU Collective Rights Management Directive sets new standards for collective licensing

THE 2010s: A NEW-LOOK PLS

PLS turned 30 in 2011, with another record-breaking year of distributions and two more notable milestones: £300m in cumulative payments to rightsholders, and 3,000 mandating publishes. We had a new chief executive too, Sarah Faulder succeeding Alicia Wise after seven very successful years; and signed our first-ever lease for a new office in London's Russell Square.

However, there was no danger of complacency. The economic downturn and austerity had squeezed the budgets of licence holders across government, education and business, making for some tough renewal negotiations for CLA. There was also another reappraisal of copyright to keep everyone on their toes - this time through the Hargreaves Review of the fitness of IP legislation for the digital age. PLS once again mounted a strong defence of both copyright and collective licensing, making the argument that protection of copyright enables rather than stifles innovation.

We also had to make a strong case for our continued value in the increasingly competitive landscape of collective licensing. Publishers had more choice than ever in how to license their rights. In 2012 we established a new relationship with Newspaper Licensing Agency (now NLA Media Access), prompted by some magazine publishers instructing us to license their content to the business and government sectors through NLA.

Founded in 1996 and publisher-owned like PLS, NLA works on behalf of several thousand newspaper and,

latterly, magazine titles and websites, and licenses organisations across the corporate, government and charitable sectors, as well as media monitoring agencies, to make copies of their print and digital content. We continue to work with NLA to distribute money to magazine publishers who instruct us to act in this way, and for whom this is now a source of several million pounds of income every year.

New services

With the concept of collective licensing and our distribution mechanisms well established by 2010, PLS was able to consider how we might support book,

journal and magazine publishers in other rights-related areas. Early examples included work to make content more accessible to visually impaired people, through a collaboration with the Royal National Institute of Blind People (RNIB) and others that made it easier for rightsholders to grant permission for their content to be adapted. We also used our tools to help the British Library and the Wellcome Library to trace the rightsholders of works they wanted to digitise through the ARROW project, and we took a leading role in the development of metadata and the ONIX standard to help communicate licensing information in the publishing supply chain.



PLS Archive

- Adam Singer, ALCS Chair, and Mark Bide, PLS Chair, signing members agreement relating to CLA, 2014.

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10s

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2015

First Independent Rights Valuation establishes terms for the sharing of licensing income between PLS, ALCS, DACS and visual artists

2015

Move into shared office space with ALCS and CLA at Barnard's Inn



PLS Archive

- Amy Ellis, PLS Rights and Licensing Manager at Authors HQ, London Book Fair, 2019.

It was apparent that PLS was uniquely placed to help rightsholders to enable access to their content in an increasingly complex digital landscape, and not just via collective licences. This led to the start of two pioneering new projects: Access to Research and PLSclear.

Access to Research grew out of the Finch Report on how access to publicly funded research could be expanded. Developed with the help of associations in the publishing and library sectors, and with the full support of STM publishers, it provided free access to a vast range of academic content for anyone walking in to public libraries around the UK. With access to more than 30 million articles and adoption from nearly all library authorities, it has lasted long beyond its initial two-year pilot, and continues to be widely used today. As Universities and Science Minister David Willetts put it at the launch in 2014: “Access to Research

is a really important development in our belief that people should have as much access to the world’s research as possible.” It was also an important milestone on the road to open access, initiated by publishers and signalling their willingness to make their content available to a wide audience.

PLSclear meanwhile delivered publishing’s first clearing house for permissions to reuse content from a comprehensive range of works - books, journals, magazines and websites. Its origins date back to 2013, when PLS proposed a simple one-stop shop for researchers to clear rights with publishers for the purpose of text and data mining, in response to a perceived demand that was highlighted in the Hargreaves Review.

For authors and editors of books and journals, PLSclear dramatically streamlined and accelerated the frustratingly slow job of securing permissions. For rightsholders it was a welcome new way to set terms for reuse with the option to automate permissions. The service, designed in close consultation with industry experts and developed by PLS’s long-term IT partner Arc Software, was launched formally in 2017. It immediately earned PLS the accolades of best Digital Technology Application and Innovator of the Year at the Stationers’ Company’s Innovation Excellence Awards, with judges noting: “It fills a major gap in the publishing market, and represents a clever evolution of rights management.”

PLSclear has slashed the time typically taken to obtain permissions from weeks to what can be a matter of minutes,

reducing costs and increasing revenue for publishers in the process. The service is used today by more than 200 publishers of all sizes, with a steadily growing requestor user base in more than 140 countries.

Collective licensing comes together. The mid-2010s also saw an important reframing of our relationships with partners in collective licensing. Ever since their foundation, PLS and ALCS had periodically renegotiated their bipartite agreement covering the splits of licensing revenue for publishers and authors respectively, while the share for visual artists first agreed with DACS had remained fixed. In 2015, all the interested parties embarked together on the first ever Independent Rights Valuation - a professional third-party assessment of the rights and value that each side brings to licences. It was a valuation by which we all agreed to be bound, brought new clarity to the process and created a firm foundation on which future distributions could be made, with the added benefit of easing any lingering tensions between stakeholders. When it came, the valuation had only minor effects on the overall split of revenues - a validation, perhaps, that the agreements of previous years had been on the right lines all along.

PLS, ALCS and CLA moved into shared office space - first in 2015 at Barnards Inn near Chancery Lane and, since 2018, in Shackleton House near London Bridge. Close proximity has made it easier for us to collaborate on projects and agree on the future direction of collective licensing, while retaining our distinct identities and working as hard as ever for our respective constituents’ interests.

2015

IPG joins ALPSP, PPA and PA as the first new member since 1981

2017

PLS Permissions suite of services launches and wins PLS the title of Innovator of the Year at the Stationers’ Company’s Innovation Excellence Awards

Beyond the Independent Rights Valuation, other developments made collective licensing more transparent and accessible, including our first Code of Conduct in 2013. This and other moves, including an update of the PLS mandate to accommodate digital rights, also helped PLS adapt to a new regulatory environment following the 2014 EU Collective Management of Rights Directive - a prompt for us to demonstrate our compliance, particularly through our longstanding Distribution Charter, as well as our continued relevance.

In recognition of the growing demands of PLS's expansion, Mark Bide was appointed in 2013 as the first PLS chair to be employed and not to be tied to one of our founding associations. With deep expertise in our work as both a consultant and employee, and more time to devote to the job than his predecessors, Mark helped steer many of our innovations and improvements over a six-year stint as chair.

New members and a rebrand
The year of the Independent Rights Valuation also saw PLS welcome its first new member in 34 years. The Independent Publishers Guild, with more than 600 members ranging far and wide across publishing, now joined the PA, ALPSP and PPA in directing our work via three members apiece on the PLS board. It has helped bring even more companies into our fold, especially the small specialists and start-ups that are the lifeblood of publishing.

PLS' own staffing also grew steadily throughout the decade, with dedicated publisher relations, communications, IT, business development and legal

and policy roles. Our greater resources have helped us to liaise more closely with the publishers we serve, delivering workshops and webinars and taking a much more active role in publishing events and book fairs.

In 2017, the broadening of our activities far beyond our initial remit led us to rebrand as Publishers' Licensing Services and create the latest in a long line of logos. The tweak allowed us to retain our familiar acronym while demonstrating that we had become much more than just a Society. We also took the opportunity to add an apostrophe to our name as a reminder that we remain owned and directed by publishers, its absence having been noted by sticklers for grammar ever since 1981.

The services we offer publishers continued to increase, most recently through support for rights management. The Independent Rights Valuation required publishers to prove their ownership of the rights for which they were claiming licensing income, and highlighted an opportunity to promote best practice in management across the industry. The launch in 2020 of the Rights & Licensing Hub by PLS' Rights Management Group was an important first step on that journey.

While our services expanded during the 2010s, the distribution of collective licensing income to publishers remained our core concern. Distributable revenue fluctuated each year throughout the decade because of accounting factors and payment timings, but it has always exceeded £30m since 2011, hitting a new peak of £38.6m in 2019-20.



• Sarah Faulder with Dr Ros Lynch, Director, Copyright & IP Enforcement, Intellectual Property Office, at PLS Annual Rights & Licensing Forum, 2015.

2017

PLS rebrands as Publishers' Licensing Services

2018

PLS, ALCS and CLA move to offices in Shackleton House

2019

Rosie Glazebrook succeeds Mark Bide as current, and first female, chair

2021: COLLECTIVE LICENSING AND BEYOND

Just like the publishing industry we serve, PLS has changed dramatically since 1981. Some of the ways we create and consume content would have been incomprehensible to our first mandating publishers, and from patchy black-and-white photocopying to ultra-fast digitisation, secondary use has changed out of all recognition too. PLS' own systems and practices have been transformed, not least during 2020 and 2021, when COVID-19 pushed us into remote working and virtual meetings - concepts that would have been alien to our first directors and staff.

However, the fundamental mission and mechanics of PLS are little changed from four decades ago. We stay directed by publishers, for publishers, responsive to their needs and conscious of our responsibility. We remain an efficient and highly cost-effective operation, with our subvention - our expenses before payments are made to publishers - still just 6% of our annual income, and any surplus reinvested into services. We strive to be more professional than ever - transparent, fair and prudent in our financial management and planning - and to innovate at the intersection of copyright, publishing and digital technology.

In 2021 we believe PLS and the many other acronyms in our network - CLA, NLA, ALPSP, IPG, PPA, PA, ALCS, DACS, PICSEL and more - are working well together, emerging from decades of sometimes difficult discussions with mutual respect and a shared ambition to lead UK collective licensing in the best

interests of creators and publishers. Its story might be complex, but the purpose of collective licensing remains brilliantly simple: to enable wide access to content for those who need it, in return for fair payment to the people who make and own it.

It also strengthens copyright, which remains the bedrock of the creative industries. It was threats to copyright that led to the creation of PLS, and the concept is no less vulnerable now to external challenges, new models of delivery and legislative change - but the framework we have built together provides robust protection.

Collective licensing is a success story of which everyone in publishing should be proud. In 2021, more than 4,000 publishers mandate PLS for their licensing, and we have distributed more than £500m. That is half a billion pounds sent direct to the bottom line of UK publishing - money that has created jobs, saved businesses and powered economic growth. We look forward to what our fifth decade will bring, and to serving publishers however we can. We thank everyone who has contributed to our success by acquiring a licence, and CLA and NLA for working so hard on our behalf. Above all, thank you to the staff, directors and associations who have led us, and to the publishers who trust us with their licensing.

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Written by Tom Holman.

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2020

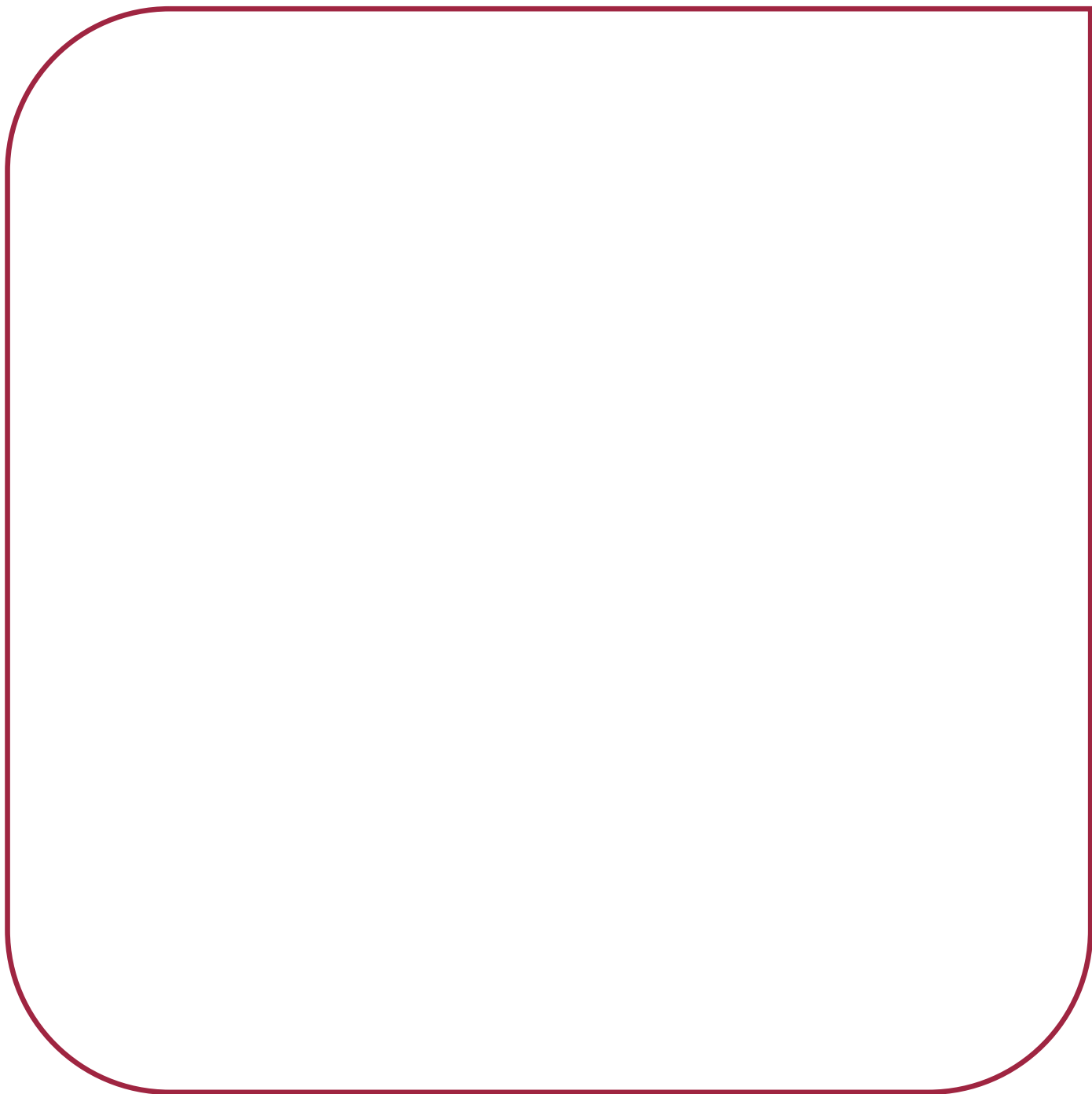
Rights & Licensing Hub launches

2020

Annual Distributions reach a record £38.6m

2020

COVID prompts a move to remote working






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