

Ecodesign and energy labelling
Response to the public consultation

Brussels, 03 May 2018

Ref. 2018/SL AD_P7361

Identification number
EC register 4817795559-48

Introduction

With this paper, Pearle* gives input to the consultation on the revision of the ecodesign regulations.

Pearle* - Live Performance Europe, is the European sector and employers' federation of music and performing arts organisations. It represents through its members associations the interests of more than **10,000 live performance organisations** across Europe. This includes theatres, theatre production companies, bands and music ensembles, orchestras, opera houses, ballet, dance companies, festivals, concert venues, producers, promoters, agents, comedy, variété, circus, event suppliers and others.

Pearle* is recognized by the European Commission as the only representative employers association to the European social dialogue for the sector 'live performance'. The sector employs more than 2 million workers, which is the largest among the culture and creative industries and has a turnover of about 44,5 billion euros.

Preliminary remark

The live performance sector is committed to the goals of the EU in relation to climate change and in the context of this consultation on energy consumption for lighting.

Concert venues, theatres and others have adapted their buildings or are in the process of making those energy-efficient. Most of the spaces in the buildings, such as the entrance hall, the auditorium, etc. are already equipped with ecologically-friendly lighting.

In the production of performances, concerts and shows ecologically-friendly approaches are taken into consideration as well. Those concern considerable investments from the sector over the past years and planned costs to infrastructure and others in the future.

Moreover, the sector has a role-model for young people to make them aware and make them responsible for their planet, which is done at festivals and others alike.

In 2012, Pearle* held an awards event, including a 'Green award' for employers and sector federations based in Europe for projects that consider ecological measures in the sector and encourage other organisations to undertake ecological activities. This year on 22 November 2018, Pearle will again give an award to the association that gives attention to sustainability in projects and activities.

As the sector has endorsed and invested in ecological measures, the heart and the core of its activities which takes place 'on stage' requires a specific attention.

The Commission regulations on ecodesign and ecolabelling include provisions that deal with the core production and heart of the sector's activities and business.

What happens on stage and what is seen and experienced by the audience is a combination and the collaboration between the musicians and performers, the entire set, the right sound and last but not least the lighting.

As it touches upon a crucial part and element of the total experience of the audience, the sector calls on the Commission to carefully consider the specificities of this particular part of live performance production when it comes to the revision and implementation of new rules on ecodesign.

The impact of the revision of eco-design rules on the live performance

Organisations in the live performance sector are most concerned about the revision on lighting which could replace Commission Regulation (EU) No 1194/2012 without keeping the existing exemption for special purpose lights used for stage lighting in theatres and other live performance venues.

Whilst employers and managers of live performance organisations are looking and investing into new ways of lighting design, they are equally concerned to continue providing the best experience for their audiences through the available technical equipment.

Pearle* regrets that the Commission impact assessment studies did not include the impact on the live performance sector, although the current EU regulations include a specific scope on theatre light.

a. Investment:

As mentioned above, the sector is committed to invest in ecological friendly devices and equipment where possible and shares the societal concerns in the context of the climate change.

It has to be taken into consideration that in the overall energy consumption of a venue, the use of professional entertainment lighting products (PELP) for the stage is extremely limited. According to studies it concerns about 5% of the electricity used in a theatre¹. In addition, according to estimations made by concert venues, theatres and opera houses, the replacement of all technical equipment which may concern more than 1000 lights and

¹ See: "Green Theatre. Taking action on climate change. Published by the Mayor of London. September 2008. Summary available: https://www.london.gov.uk/sites/default/files/green_theatre_summary.pdf

currently used lighting products with LED would cost several hundred thousand euros for a mid-scale theatre or venue and up to 3-4 million euros for opera houses or large venues.

It has been understood that for small venues of all kinds, which are SMEs the costs would comparatively to their available operating budget be significantly higher as they need a longer period to be able to make particular investments.

All over Europe, the live performance sector would need to invest **more than 2 billion euros** to replace currently used stage lighting.

Apart from the costs to change the equipment, research has shown that the purchase price of LED light bulbs for stage lighting is nearly 3 times higher than currently used light bulbs for an equivalent running time of 20.000-21.000 hours.

Introducing LED technology for professional stage lighting would thus not have the effect to bring an economic advantage for end users, as described in the main Commission's objectives to review the Regulations implementing Directive 2009/125/EC for the eco-design of lighting products.

It should be underlined that there are other costs related to changes: the adaptation of the electrical installation, the extra working time necessary for the programming of the light design when using LED, the training of the technicians.

The increased costs for stage lighting would have to be borne by the organisations in the live performance that already are under great pressure to achieve break even. Without foreseeable support through subsidies or others it would mean a substantial economic impact on the sector.

b. Technical considerations:

Whereas research and technical development over the past ten years have allowed considerable progress regarding LED spotlights specifically designed for stage lighting, it is still not possible to replace all professional entertainment lighting products (PELP) with LED. The following examples give an insight into the concerns of the live performance sector:

Colours: Whereas the currently used PELP offer a wide spectrum of colours which smoothly merge (and this means all elements of the production can be shown in the ideal colour spectrum), the use of LED can lead to distorted colours on the stage.

In addition, LED lights do not have the same range of warm colours as PELP and therefore cannot fully replace tungsten light. In this sense, for the time being, **there are no suitable replacements and alternatives** which can be used instead of PELP in theatres and other venues.

Pearle* members are also concerned about the future use of additive RGB light which is not considered in the proposed ecodesign regulation, even if additive colour mixing is far more efficient than subtractive colour mixing (which would still be allowed under the new rules).

High power output: For the lighting of live events, very small halogen lamps with a diameter of 0,5 centimeter are used to produce a high-power output. For those special lamps, there is currently no available replacement with LED technology.

Energy use: As stage lighting for a live event only represents around 5% of the overall energy consumption of a venue and is only used for a very short period of the day (in fact, even during a live performance only a very small number of all available lights are used), it can be put into question whether the use of LED lighting for the stage would allow effective energy saving. Whereas the currently used special lighting products do not consume energy in stand-by modus, this is not the case for LED which would continue to use energy during the extended period in stand-by modus.

c. Artistic impact:

The above mentioned technical problems with LED lighting would severely affect the artistic quality of performances made in Europe, as the richness of lighting for a live event lies in the diversity of light sources, colours and intensity. A loss of artistic excellence will ultimately have an impact on the audience experience who expect high quality of the concert or performance for which they bought a ticket.

Moreover, it would also impact international touring activities as the current standards are the same across Europe and allow to produce with a view to achieve the same atmosphere and light presentation on stage no matter in which country the performance takes place.

d. Meeting the Commission's criteria for implementation measures

DIRECTIVE 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products lists the criteria which should be met when the legislation is implemented in the Member States.

Article 15.5 (a) points out: "there shall be no significant negative impact on the functionality of the product, from the perspective of the user".

Article 15.5 (c) reads: "there shall be no significant negative impact on consumers in particular as regards the affordability and the life cycle cost of the product".

Economic, technical and artistic evidence outlined in the text above shows that these two points would be severely harmed in case the exemption for special purpose lights used for live events would be removed in the new proposal for ecodesign regulations.

Conclusions

1. As a principle, Pearle* is committed to the general goals of the Commission on climate change and the increasing of energy efficiency in products.
2. As today there are **no suitable replacements** for the entire range of currently used PELP available on the market, and as a de facto ban of this material would have a harmful economic, technical and artistic impact on the live performance sector as a whole, Pearle* calls on the European Commission to keep a narrow and limited exemption for stage lighting as "special purpose lamps". The exemption for professional entertainment lighting from current legislation (directive 2015/1428 of 25 August 2015), in the new ecodesign regulation, should read as follows in Annex I, 2:

“Light sources for theatrical, live entertainment and studio lighting applications, where the spectral distribution of the light is adjusted to the specific needs of particular technical equipment, in addition to making the scene or object visible for humans.”

3. We underline that the exemption for the audio-visual sector which is currently discussed, designed for “image capture and image projection”, would not cover all uses of stage lighting in venues and is therefore not suitable for the live performance sector.