

BPI Blasts Discounting

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Said Bridge: "With so much chart product going through your shops, and as you decline to cooperate in the compilation of the charts, the charts themselves inevitably become distorted and less accurate and less helpful as a guide to retailers for re-ordering purposes."

It was, he added, becoming increasingly difficult to break new acts, since independent dealers were wary of stocking the records and

Parties Agree In Kenny Suit

By CHRIS WHITE

LONDON—An out-of-court settlement in the High Court action between the band Kenny and songwriters/producers Bill Martin and Phil Coulter followed accusations that the group had been "kept in 20th century bondage by the unscrupulous, outrageous and disgraceful treatment" of the producers.

The dispute, which also involved Polydor as co-defendant on behalf of the group, came to an end after a five-day hearing.

This left the group free to record for Polydor and the first single under the deal, "Hot Lips," was released last week. During the hearing it was alleged that the band were treated as puppets under the Martin-Coulter contract. They had been recruited to perform the hit song "The Bump," after the record, made by session musicians, climbed the chart.

In the action, the group attacked the validity of their contract while the songwriters sought to enforce it and to stop Kenny from recording with Polydor.

The judge was told that the group, previously part-timers called Chuff, were signed to present "The Bump" on the television show Top Of The Pops, because the "anonymous" session musicians who actually made the record did not fit the young pop-star image. The record hit number three on the charts, and Kenny went on to make their own hits.

Andrew Bateson for Polydor said the company had at risk \$60,000 which they had paid the band in advance royalties and more had been spent on the new single.

And he said that Kenny had earned \$114,000 gross from live appearances but were left, after expenses, with only some \$80 a week each.

But Gerald Butler, representing Martin and Coulter, said royalties had not been paid to the group because the songwriters themselves had received no statements from the record company, but that the group would eventually receive the money.

"Their name was devised by Martin and Coulter, not by the group. What they are to do is not only go elsewhere and make recordings, having been made successful by Martin and Coulter hits, but also to take the name given them under the agreement."

After the case, Martin said the settlement of the case out of court meant Kenny could continue with their Polydor deal and that Martin-Coulter Enterprises retain rights to back product on which royalties will be paid on a 50-50 basis.

"But it is a blow to the music industry that people are allowed to walk out of a contract. There is no way that we could give a huge advance and a 12% royalty. The most that an indie producer can pay is 6%."

W.H. Smith declined to stock them at all. "This rebounds not only on the manufacturers but onto composers and artists and musicians from whose efforts our whole joint enterprise is derived."

He said that by its "irresponsible actions," W.H. Smith was "biting the hand that feeds the goose that lays the golden egg."

Pointing out that the book and newspaper side of W.H. Smith's business was protected against price-cutting, Bridge noted that perhaps the firm really did not understand the record business. "Records are not just little black round plastic disks to be commercially ripped-off like any other soulless product. Records are about people, creative people who compose and perform music and produce recordings."

He urged that the company should "wise-up" to its responsibilities and allow sanity to return to the industry.

And more strong words came from the retailers chairman Laurie Krieger, who accused W.H. Smith of "ruthless cut-throat business ethics." He alleged the company was working on the principle that any knife stuck in the back of the competition is good business.

Krieger said he would like to see the manufacturers initiate a campaign to reintroduce resale price maintenance which should stand a chance of success now that people could see "the anarchy that is going on."

In the meantime, he urged independent dealers not to feel sorry for themselves. "We can always score over the price-cutters by giving knowledgeable service and stocking the wide range of product that frightens the multiples to death."

Old Spector Cuts To Be Released In The U.K. & U.S.

LONDON—Rare recordings produced by Phil Spector, including some items never commercially available in the U.S. or U.K., are for release in album form here in May, on Polydor's Phil Spector International label.

The material goes to make up the fifth album in the Wall Of Sound series of Spector LPs, first introduced last year, and go under the title of Rare Masters.

Among the tracks: the Ronettes' "Paradise," a much-bootlegged recording; Veronica's "Why Don't They Let Us Fall In Love" (withdrawn soon after its U.S. release); Darlene Love's "Stumble And Fall," of which only disk-jockey copies were pressed; Bonnie and the Treasures' "Home Of The Brave," a master picked up, not produced, by Spector in 1965, and the Crystals' "All Grown Up," an alternative take to that originally out as a single in 1964.

PSI label chief Tony Bramwell has also received more rare tapes direct from Spector's California headquarters, enough he says to compile another album later in the year.

Preceding Rare Masters is volume four in the Wall Of Sound series, entitled "Yesterday's Hits Today." It includes the Ronettes' "Born To Be Together," and "Is This What I Get For Loving You"; the Crystals' "Little Boy," and "Why Do Lovers Break Each Others Hearts," by Bob B. Soxx and the Blue Jeans.



GAYNOR DOING IT BOLDEN—Pianist-composer David Christie is better known by his nom de plume, James Bolden, under which he has written numerous hit tunes including "I Love To Love" which was recorded by Tina Charles. He has also done a number of songs included in the Gloria Gaynor repertoire. Here we have Bolden accompanying Gloria on stage during recent tour in France.

Poland Has Disco Boom

WARSAW—There are thousands of discotheques in Poland, particularly in the academic centers. But they cater mainly to the requirements of special tv musical groups and so become more of less "closed" clubs.

The numbers of such establishments open to the general public is small and limited. In Warsaw, for instance, there are only three, one of which closes at 10 p.m. And the recent decision to close the Stolica disco here, on the grounds of so-called "inappropriate behavior" of the customers, created strong criticism in the local newspapers.

Journalists said if public order had indeed been disturbed on occasions, then it was only because more people wanted to get in than there was space available. The argument is that the answer is to open more discotheques to cater to the demand, not close down existing ones.

And the response so far has been good. It has been announced that this year some 25 new discos will be opened in Warsaw and the one closed down will be allowed to re-open. Through the rest of Poland it is expected that there will be another hundred new clubs opening.

An official of the Ministry of Internal Trade, the administrative authority over public catering establishments, said recently that the shortage of discos is simply due to the lack of adequate professional equipment. An agreement now signed with Fonika Enterprise, manufacturers of this equipment, should solve the problem.

But the explanation is not entirely satisfactory to the entertainment industry here. None of the Polish discos in previous years had used Polish-made equipment. All the professional discos used foreign product, either imported by state enterprises or by private persons who hired it out to disco managers.

ROMAN WASCHKO

From The Music Capitals Of The World

LONDON

New chief of the London Symphony Orchestra is to be Michael Kaye, 51, for 13 years director of the Peter Stuyvesant Foundation, established to channel the music and arts aid of the Rothman's-Carreras tobacco giant, and he becomes LSO managing director from May. ... High Court dispute here continues between manager Jim Simpson and the Black Sabbath group, claiming damages for alleged breach of contract.

Six singles from Magnet Records, after a comparatively quiet period for the company who took the charts by storm 18 months ago, with product from Barry Mason, Silver Convention, Sonya Spence, Lee Towers, the Sherman Brothers and the Jaln Band, with follow-ups from Alvin Stardust and Stevenson's Rocket.

Long-term worldwide deal (excluding the U.S., Canada and Japan), with the Steve Miller Band from Phonogram, backed by intensive promotion. ... And a worldwide deal between U.S. r&b guitarist Johnny "Guitar" Watson and DJM here. ... Nick Mason, Pink Floyd drummer, formed a new management company, Mistral Music, with Nicholas Blackburn, and first signings are Procol Harum and the Sutherland Brothers and Quiver.

Tom Jones back in Europe this month after an absence of five years, for five concerts in Belgium, France and Switzerland. ... According to gossip column story in the Daily Mirror here, the Beatles will tackle a reunion concert in the U.S., the source being George Harrison's father. ... At Christie's auction rooms, the late Lord Donegal's collection of 2000 jazz records, including autographed 1917 78rpm disks by the Original Dixieland Jazzband, went for just \$3,000.

Diana Ross in for promotion and shows and started with a champagne breakfast for media folk. ... Family Dogg group reactivated for Arista Records deal, with new line-up fronted by producer Steve Rowland. ... Alvin Stardust, voted top live performer by London Weekend Television viewers, on Irish and Scottish tour next month. ... Victor Borge back for three concert engagements. ... And the Miracles open March 26 for one-nighter series running to late April.

Promoter Derek Block tours, including the Miracles, also feature Status Quo, Johnny Mathis, Sacha Distel and Leonard Cohen. ... Sell-out success for upcoming Rick Wakeman and English Rock Ensemble tour forced extra shows in Ipswich and Birmingham. ... Steve Marriott's first solo album, titled "Marriott" out on A&M next month, one with U.S. musicians and the other local players.

David Essex song "City Lights," his 30th composition, written while walking in Manhattan late one night. ... New CBS signing Sparrow getting tremendous critical acclaim in advance of debut album not out until June. ... New Jesus in touring version of "Godspell" is Allan Love, ex-Opal Butterfly and Merlin, the role originally taken by David Essex.

Colosseum II's debut album out, just eight months after the group formation, with drummer Jon Hiseman now fronting a very together band. ... Bing Crosby, recent surprise singles'

chart entry here, has picked another U.K. song for his new UA release, "At My Time Of Life," by Hal Shaper and Cyril Ornadel. ... At Palace, "Jesus Christ Superstar" celebrated 1500th performance, with three Christ's during the five-year run, Paul Nicholas, Richard Barnes and Christopher Neil, all with solo recording contracts.

Changes in Dutch band Focus being Philip Catherine, English-born, replacing Jan Akkerman, and U.S. drummer David Kemper for Colin Allen. ... Extra date added to James Last's sell-out tour. ... Esther Phillips and Millie Jackson in for New Victoria gigs on successive days, April 1 and 2. ... Four Seasons in for tour next month, having had their first-ever number one hit here with "December '63." ... Lot of interest here in David Cassidy's brother Shaun, in on promotional visit for his "Morning Girl" debut single.

And David Cassidy also arrived, saying he wanted to be taken as a serious singer now, not a teenage rave. ... Big anger from record retailers over the Daily Mirror-W.H. Smith multiple offer of \$1.60 album discount to 160,000 membership of the Mirror's pop club. PETER JONES

VIENNA

A new music publishing company, Danubius Musikverlag Gesellschaft, has been set up in A-1150, Vienna, Wurmsergasse 28/18, managed by Rudolf Georg Slezak and Gottfried Indra. ... This spring, Ariola starting a jazz promotion campaign, with a catalog for the company's distribution deals for Atlantic, Blue Note, Horizon, Warners and Impulse.

CBS report best-selling albums are the samplers "Super Power 20 Hits/20 Stars," and "Die Gross Hitparade No. 5." ... Vienna Blues Fan Club invited Chicago bluesman J.B. Hutto in for an Austrian tour. ... Roger Whittaker in May 28-29 for tv recordings on "Spotlight." ... Austrian pop tour with Acid, Wilfried, Peter Cornelius and Stefanie under way here.

Biggest local newspaper Kronen Zeitung now has a new column "Music Man" with former pop singer and tennis player Lance Lumsden, from Jamaica. ... Lumsden also manages CBS artist Goldie Ens. ... Austrian-born singer Udo Jürgens (Ariola) given a gold disk for 50,000 sales of his "Griechischer Wein." ... Weinberger Music has taken over representation of Sugar Music, the Italian company including the rights of Gigliola Cinquetti, I Santo Californie and Mal.

German comedy performer Otto, whose own Russel label is distributed here by EMI/Columbia, in this month for Austrian TV promotional appearances. ... CBS to present the Three Degrees, Gigliola Cinquetti, Johnny Nash, Al Matthews, Sailor, 5,000 Volts and Birth Control on television shows here.

Carl Nemeth, manager of the Graz United Stages (Styria) is chairman of this year's competition of the Loren L. Zachary Society in Beverly Hills, Calif., the winner getting the Graz Opera Prize and a one-year contract at the Graz Opera House. ... For the 20th time, the Mörbisch Seebühne in Burgenland is staging a summer operetta, this time Franz Lehar's "Land Des Lachens," conducted by Franz Bauer-Theussl. (Continued on page 60)