



Lord Porter of Spalding CBE
LGA Chairman
Local Government Association
18 Smith Square
Westminster
London
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24 July 2018

Dear Lord Porter

I am writing to you on behalf of UK Music, the umbrella body for the commercial music industry, to ask you to encourage local authorities across England to adopt the agent of change principle contained within the new National Planning Policy Framework (NPPF) to protect under threat music venues.

The Local Government Association (LGA) was a prominent supporter¹ of John Spellar MP's Planning (Agent of Change) Ten-minute Rule Bill which preceded the Government's announcement² in January that it would adopt the agent of change principle within the NPPF.

Local authorities are legally bound to comply with the NPPF, meaning all planning authorities must have regard to agent of change when making decisions on applications and in framing their own planning policy.

For individual decisions the NPPF will come into force immediately. It is common practice for both local authorities and the planning inspectorate to give applicants time to submit further evidence and representations on applications or appeals that are already in the system when such a change occurs. There is also a six month transition period for local authorities to develop new local plans based on the NPPF.

¹ <https://www.local.gov.uk/about/news/councils-win-backing-help-protect-live-music-venues>

² <https://www.gov.uk/government/news/strengthened-planning-rules-to-protect-music-venues-and-their-neighbours>

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The specific provision in the new NPPF on agent of change can be found in paragraph 182 and reads:-

“Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established . Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

As the national voice for local government and your role in supporting, promoting and improving councils, the LGA can play a key role in delivering agent of change which could make a real difference to the music industry.

Music venues play a vital role in supporting the industry’s infrastructure and ensuring a healthy live music industry which contributes £1 billion to the UK economy. They also nurture the music industry’s talent pipeline.

Whilst the overall picture for live music is healthy there are worrying signs. Smaller grassroots venues are increasingly finding it difficult to operate. In the past 10 years the sector has seen a decline of 35% in the total number of grassroots music venues trading in the UK.

A growth in demand for property in UK cities and towns has led to increasing rents and landlords deciding to sell property and land to developers. This has placed rising financial burdens on pre-existing operators of grassroots music venues, who are often situated in areas that are popular for redevelopment, and made them vulnerable to a more liberalised planning system.

Whilst there are well documented problems for grassroots music venues in London it is not a concern which is unique to the capital. Other cities and towns have been affected too. Venues in Birmingham, Manchester, Bristol, Plymouth and Swindon, to mention just a few, have either closed or had considerable threats of closure placed on their businesses in recent years.

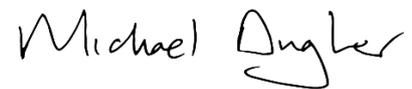
Agent of change means those bringing about a change take responsibility for its impact. If new developments are to be introduced near pre-existing businesses the agent of change principle places the onus on the developer to ensure solutions are put in place to mitigate any adverse impacts on existing businesses from the new development. For example, new residential accommodation may increase the likelihood of noise complaints that threaten a music venue business. The agent of change principle would require those responsible for the new residential accommodation to put measures in place to allow venues to continue to operate and co-exist, such as sound-proofing.

We have also discussed with the Ministry for Housing, Communities and Local Government the possibility of further guidance to be issued by the Government on

agent of change in support of the NPPF and would welcome an opportunity to work the LGA on this.

We look forward to your continued support for the agent of change principle.

Kind regards

A handwritten signature in black ink that reads "Michael Dugher". The signature is written in a cursive style with a large, looped 'M' and a distinct 'D'.

Michael Dugher
CEO, UK Music