Dear Convener and Local Government and Communities Committee members,

First of all, I'd like to thank you very much indeed for affording me the opportunity to express my views. I'm sorry that the weather conditions prevented me from being able to attend in person last Wednesday which left me disappointed and frustrated. I was literally itching to make some hopefully salient points whilst watching the session via the web link.

I would also like to confirm I have read and accept the relevant guidelines regarding submitting evidence.

I am speaking on behalf of The Sub Club in Glasgow which is primarily a club venue promoting various genres of what is now commonly known as 'electronic music', as by and large these music forms are computer generated, rather than created in the traditional sense of live instrumentation. I should however say that this is a broad generalisation, as the roots of our music scene lie in the genres of Soul, Jazz, Funk, Disco, and even BeBop, and those are still very important to our soundtrack to this day. We also have over the years promoted many live music events both within and outwith the club, and there are many very well-known bands and musicians around the world who cut their teeth in our wee Glasgow basement over the 30+ years of our existence. We enjoy an international profile and are widely recognised as one of the best and longest running underground club venues in the world.

I'm conscious of not wasting anyone’s time by repeating either comments already made by other witnesses to the committee, or regurgitating the points already made in the written submission made by our group and articulated by Graham Laing of NorthPoint. I have also had sight of Fiona Ellis’s submission on behalf of King Tuts and DF Concerts, and would make you aware that we have worked quite closely together over the last couple of months on the issues which are affecting both our venues. I will try to avoid making the same points Fiona has made, and unless otherwise stated you may safely assume that her views reflect my own.

Consequently, I will simply express my own general view on the overarching need for AOC to be adopted and implemented and hopefully adding some useful background from a venue operator “under threat” perspective.

I will also make a few specific suggestions as to simple improvements which I feel could easily be made to the process when a planning application is submitted, and also, I have some comment to make on the specific area of aligning planning and licensing policy.

In the most general sense, I see Agent of Change as a completely common sense principle whereby nobody moving into a neighbourhood should expect the existing
residents to move out to accommodate their preferred way of life. Equally, nobody should move into a premises next door to a noise emitting property and then complain about the noise ingress which inevitably follows. In practice this leads to unfair pressure being put on venues like ours which are often independently owned and operated.

I would like to address a few specific questions which were asked by the committee in the evidence session and which our own views were not necessarily represented as follows:

What are the issue/problems facing the industry at present?

Very often areas, particularly urban areas, become attractive places to live or locate new businesses specifically because of the cultural activity occurring there, and as that activity develops and the concentration of creativity increases, so does the desirability of the location. What often follows is that those incomers then start to demand that the cultural activity which made the area attractive in the first place is curtailed or even driven out as it is perceived to interfere with their own (often changing) lifestyle. Very often this happens in parts of cities which have become run down and where rents are low enough to attract relatively low earning creatives who then end up being driven out by rising property values. The expression ‘gentrification’ is often (perhaps erroneously) bandied about in reference to this phenomenon, but there are many clear examples of this happening in our major cities. It is vital to the creative community, and by extension to the wider community at large, that our cultural organisations and businesses are protected and given the maximum opportunity to thrive in their existing locales. I think it’s important to emphasise that the definition of ‘cultural’ is largely subjective, and so, as Beverley Whitrick pointed out, it’s rare for Concert Halls, Opera Houses, Theatres or other ‘conventional’ cultural institutions to face the challenges which are all too common for operators of ‘grassroots’ or ‘underground’ music venues which are the incubators of new talent.

As Beverley said, we are the R&D department for music culture, and it should also be recognised that there exists a great crossover between different arts and cultures which itself informs the development of all the creative aspects to life, be that design, film, dance or any other artistic form.

How do you define a grassroots venue?

More or less as described by Beverley Whitrick, but any definition of grassroots venues should be broadened to include reference to any space where the primary operational activity is music and/or dancing irrespective of whether there is ‘live music’ performance and also whether or not that venue is licensed to sell alcohol. Otherwise we become bogged down in defining what constitutes ‘live music’. The important thing is that people gather in these places to consume music and interact socially, and it is in these environments that new music flourishes.

Could you give us an idea of the types of problems facing a venue when a planning application is submitted. What does it mean for the venue?
There was some discussion at committee about how things work in practice in terms of planning policy and the application of policy, so I would like to expand on the impact on The Sub Club of planning consent being granted by Glasgow City Council Planning department for the construction of a 10 storey 103 bedroom hotel on the adjacent vacant gap or infill site. There are a number of specific areas where we feel that the required due process was not followed correctly, and these are outlined in our petition for Judicial Review which is currently 'sisted' pending further discussion between the parties aimed at reaching an amicable solution. As such it is not appropriate for us to go into those in any detail, but the general principle at stake which we think should be addressed by the introduction of Agent of Change is that there should at very least be a requirement on applicant developers, and by extension the planning department, to acknowledge the existence of neighbouring music venues in the application documentation. Following from that, there should be a statutory requirement to examine noise impacts on the noise receptive development, and the onus to mitigate those impacts must be placed on the developer, not on the existing noise emitting premises.

Is there anything you feel could be added to the bill above the national policy framework that isn’t covered in other areas of policy?

I think consultation should be at the heart of any significant development and in my view the statutory obligations to inform neighbouring premises and other key stakeholders need to be significantly tightened up. I understand that for good reason the onus to inform neighbours of an application was removed from the developer and placed upon the local authority some years ago, with the good intention of making sure that neighbours were properly notified. In practice however the planning department send these notifications out by 2nd class post, and in our case, nobody within our entire building received a notification. There are 6 floors in our building, 3 of which are licensed nightclub space, one is an amusement arcade, and the top 2 floors are a dance studio and a music academy, yet nobody received the neighbour notification. Consequently, nobody knew about the application until 2 business days before the last date for submission of objections, and so several key stakeholders who may well have objected were unable to do so on time. In fact I only found out by complete chance when a friend who is a hotel operator in London was told about it and passed it on to me. The upshot of this is that the application did not go to committee and ultimately was consented under delegated powers.

This strikes me as a very straightforward situation to fix. Simply make it mandatory in planning guidance that these notifications to neighbours and other ‘key stakeholders’ must be sent by recorded delivery. The requirement to advertise in local press is also outdated and there should be a 21st century solution to this possibly involving social media in some way.

Had this happened I would have avoided devoting half my working life over the past year to trying to protect my business and the cultural asset to Glasgow that the Sub
Club is widely recognised to be. I would also have avoided engaging in a lengthy and hugely expensive legal action against GCC Planning Department.

Another very simple measure which would address the issue of consistency in the approach of planners is that there should be a specific question on the planning application form, ideally on the front page, asking about specific impacts from nearby noise emitting sources and specifically music or other art & cultural venues.

Licensing, it was mentioned about licensing and planning being more aligned, have you any thoughts on how that could be achieved?

I am convinced there is a powerful need for some kind of commission or board to be established particularly in the bigger cities which acts as a conduit between the night-time economy and the various organs of local government so that issues affecting communities as well as operators can be addressed in a way which joins up the approach of local Planning Departments with Licensing, Environmental Health, Policing, and also tourism and major event planning within the city.

Once again, I would like to express my thanks to the Convener and the committee for affording me the opportunity to express my views and thanks for taking the time and trouble to read this submission.

Hopefully the outcome will be for the benefit of all in the artistic and broader community and will lead to a better understanding of the issues faced by music venues in particular.

Yours faithfully,

Michael DA Grieve
Managing Director
SUB CLUB