



The Appendix 1 & 2 of this report are Exempt/Confidential under Access to Information Procedure Rules 10.4 ( 3 )

**Report of : Chief Officer Libraries, Art & Heritage**

**To : Executive Board**

**Date: 6 January 2010**

**Subject: Land at Czar Street, Leeds 11**

**Electoral Wards Affected:**

**Beeston & Holbeck**

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

**Executive Summary**

This is an exciting opportunity for the Council to act as a catalyst to bring a currently unused piece of land at Czar Street, Leeds 11, into use as a music rehearsal studio for the wider benefit of the local community. The Council has the opportunity to support the project through the contribution of the land in exchange for service benefit of the use of the facility. It is unlikely, especially given the current economic climate, that an alternative purchaser would be interested in this land and this project will increase the cultural opportunities in the area.

**1.0 Purpose of This Report**

1.1 The purpose of the report is to recommend that Executive Board declares the site surplus to requirements and supports the Old Chapel Rehearsal Studio project by contributing land owned by Leeds City Council to the scheme which will secure significant service benefits for the local community and the Council.

## **2.0 Background Information**

- 2.1 Located in an area of high deprivation, Old Chapel Rehearsal Studio has been operating as a commercial enterprise in its present premises since 1992 providing space and equipment in five sound insulated rooms for rehearsal studio purposes.
- 2.2 The existing studios are operated by The Old Chapel Limited (Company Number 04330801), a private limited company which was incorporated in 2001 and is wholly owned by Mark Hubbard.
- 2.3 It is proposed that the new studios will be operated by Old Chapel Music CIC (Community Interest Company No 6403367), a community interest company which was incorporated in 2007 and which is also wholly owned by Mark Hubbard. Mr Hubbard has worked in the music industry since 1992 and has set up Old Chapel Music CIC to replace The Old Chapel Limited and to provide safe, well equipped and affordable rehearsal and performance space for musicians of all abilities and to encourage participation through workshops and career focused educational activities related to the music industry.
- 2.4 The business currently occupies a Victorian two-storey, former Methodist Chapel which has undergone a number of changes to make the building suited to its present use. The property is leased from Network Rail with the tenants responsible for repairs and insurance. However, in its present condition, as well as not being DDA compliant, it is not considered fit-for-purpose especially as the operators aspire to flourish by going up a league through growing the business.
- 2.5 The studio has a high profile within the local and national music industry with an established pedigree for encouraging up-and-coming talent such as the Kaiser Chiefs and the Pigeon Detectives. Both of these renowned bands, plus many more, still use the facilities for rehearsal purposes when in the area and have signed letters of support to reiterate their commitment to this initiative. It should also be noted that the Kaiser Chiefs have donated a substantial amount to the overall budget to assist in the scheme's success.
- 2.6 The operators have excellent relationships with all members of the local community and thus the facility has never suffered from unwanted anti-social behaviour due to this good standing within the neighbourhood.
- 2.7 The studio is located on the fringe of the Holbeck Urban Village (HUV). This is a pioneer urban regeneration project being the first of its kind in the Leeds city region, aiming to create a new business and residential community, focused on creative and digital media. HUV will aim to complement the existing facilities in the neighbouring areas of Beeston and Holbeck and fill the gap where facilities are missing, setting new standards in sustainable development, creating over 5,000 new jobs in the high value digital and creative media sector by attracting up to £800 million worth of investment over the next ten years.

## **3.0 Main Issues**

- 3.1 An aspiration of the studio operators has been to extend its work with children and young people to provide music opportunities. The objective would be to reach young people including those who are normally excluded from main stream education and from the use of such rehearsal facilities.

- 3.2 The studio has requested the Council's support in this project through contributing land to enable the construction of a state-of-the-art facility which would welcome users from all sections of society.
- 3.3 Discussions and negotiations have taken place between officers of the Council and Old Chapel Rehearsal Studios.
- 3.4 The Chief Officer, Libraries, Art and Heritage, has advised that the proposed service level agreement between the studio and the Council, whereby free access and use of facilities is secured, will provide service benefits which outweigh the potential capital receipt which would be foregone. Details of the service level agreement are attached at Appendix 2 and members will note that the value of the benefits that the Council will receive exceeds the value of the land.
- 3.5 Making the Council's land available to Old Chapel Music CIC for the construction of new rehearsal studios will ensure increased cultural opportunities for young people for at least ten years. When working with young people across the city there are two things that constantly top their list when discussing a range of Art forms. These are rehearsal space and coaching. The Old Chapel Studio will open its doors to young people on at least three key programmes – Find Your Talent, Breeze Youth Festival and the Out of School Activities team. There will be focussed use of the space supported by coaching on occasion. The agreement would be similar to user rights arrangements at the Music College, Howard Assembly Room and Northern Ballet Theatre. A ten year time span has been allocated to this agreement due to occasional addition of coaching by other users of the Studios.
- 3.6 The creation of a purpose built facility, open to the community and supporting the development of young talent in the city, would make an important contribution to live music in Leeds. There is significant demand in the city for rehearsal space which is currently not being met. This new facility will ease that pressure and fit well into the current landscape, particularly due to its accessibility to the community. Not only will it offer support musically but it will also aid aspiring musicians to enhance their business skills to help them survive within the industry. Leeds already has a strong reputation as a city of music and this provision will add an important foundation stone to this standing.

#### **4.0 Implications for Council Policy and Governance**

- 4.1 Community ownership of assets – the Council seeks to empower communities and organisations to underpin the creation of strong and prosperous communities. To this end, the Council has traditionally entered into a range of agreements for the transfer of land or buildings to community organisations, which are aligned to the delivery of strategic outcomes, as set out in the Council Plan.
- 4.2 Old Chapel Music CIC is a community interest company; that is, it is a company which has a social purpose and which has been established for the benefit of the community (the objects of Old Chapel Music CIC are to advance and promote education and participation in music and to provide and maintain facilities for the purposes of music production, performance, rehearsal and recording and to provide support, advice and assistance to users and potential users of those facilities).

## **5.0 Legal and Resource Implications**

5.1 Legal advice has been sought and it is recommended that the following conditions are imposed in respect of the proposed disposal to Old Chapel Music CIC:

(a) that if the new studio has not been constructed within two years of the completion date, then the Council will have the ability to take the site back into its ownership. This will protect the Council against the site not being developed and consequently the Council not receiving any value from the disposal.

(b) that the buyer can not dispose of the studio within the first ten years without the new owner entering into an agreement with the Council giving the Council the same rights to use the studio as agreed with the CIC prior to the sale. This would protect the Council from losing user rights should the property be sold.

(c) that the land cannot be used for anything other than as a rehearsal studio. This will prevent the land being used for other purposes which would mean either that our user rights fell away or that they became less valuable because the land was being used for a purpose that meant that it could not be properly exercised.

5.2 As the receipt from the disposal of the unused site is not included in the Capital Receipts Programme, this would mean that a shortfall would not be incurred by the Council.

5.3 The Chief Officer, Libraries, Arts and Heritage, is fully supportive of this proposal and is willing to sponsor the scheme as it will support the Council in delivering its corporate objectives.

5.4 Appendix 1 & 2 of this report are confidential/exempt under Access to Information Procedure Rule 10.4. (3) as it contains information relating to the financial or business affairs of any person (including the authority holding that information) and which if disclosed to the public would, or would be likely to, prejudice the commercial interests of the Council.

## **6.0 Conclusion**

6.1 This is an exciting opportunity for the Council to act as a catalyst to bring a currently unused piece of land into use for the wider benefit of the local community. It is unlikely, especially given the current economic climate, that an alternative purchaser would be interested in this land and this project will increase the cultural opportunities in the area.

## **7.0 Recommendation**

7.1 Members of Executive Board are recommended to declare the site surplus to requirements and support the transfer of the freehold of the site to Old Chapel Rehearsal Studios in return for the service benefits as detailed at Appendix 2.

### **Background Papers**

There are no background papers.