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Report of : The Director of City Development

To Executive Board

Date: 7 April 2010

Subject: PROPOSED LEEDS ARENA, PROGRESS UPDATE

Electoral Wards Affected:

CITY & HUNSLET

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

Leeds has long held an ambition to deliver a multi purpose arena in the city that maximises the social, economic and cultural benefits that such a facility will deliver and, will help Leeds to go up a league as a city and regularly host world class entertainment that will enhance Leeds' national and international profile.

In November 2008, the City Council decided to take on the role of developer itself in response to the worsening economic conditions that were having a significant impact on the development market. In taking on the challenge, it was recognised that the Council had to manage the risk of delivering the scheme within the design and cost parameters set and, to deliver this an experienced team was established to develop the proposals to RIBA Stage D. Subsequent to that decision, the scheme has been developed to RIBA Stage D and fits within the design and cost parameters previously agreed by Executive Board. In addition, outline planning consent for the scheme has been achieved and a preferred and reserve contractor have been identified and are ready to take the scheme forward towards the submission of a reserved matter planning application and a start on site at the end of 2010.

1.0 PURPOSE OF THIS REPORT

1.1 The purpose of this report is to seek Executive Board's approval to:

- (i) Authorise the incurring of expenditure of £3m from existing budget provision (Capital Scheme No. 13307) on the proposed design and construction of the arena.
- (ii) Endorse the selection of a preferred and reserve contractor for the proposed building works contract for the arena, the details of which are Exempt/Confidential under Access to Information Procedure Rules 10.4(3).
- (iii) Endorse the appointment of a Technical Advisor to monitor the preferred contractor's (or reserve contractor's) design team outputs on the arena project, the details of which are Exempt/Confidential under Access to Information Procedure Rules 10.4(3).

And for Executive Board to note:-

- (iv) The progress made in securing outline planning consent for the proposed arena development at Clay Pit Lane.

1.2 This report is marked Exempt for Call In on the basis that the City Council's Executive Board at its meeting on 5 November 2008, took the decision to lead on the development of the arena and instructed officers to develop a project delivery mechanism which was subsequently approved by Executive Board at its meeting on 13 February 2009, authorising the procurement strategy for the design team/consultants to progress the design proposals and to authorise the Director of City Development to determine the preferred form of construction contractor procurement. The recommendations contained in this report are consistent with the decisions taken by Executive Board on 5 November 2008 and 13 February 2009.

1.3 With regard to the authority to incur expenditure on either the preferred or reserve contractor to progress the design proposals and build the arena and the appointment of the technical advisor, under the Council's constitution a decision may be declared as being Exempt from Call In if it is considered that any delay in concluding a contractual agreement for either the building works or a consultancy commission could prejudice the Council's financial interests. The tendered proposals submitted by the preferred contractor and the proposed technical advisor are both below pre-tender estimates for their commissions and it is considered that any delay in confirming their respective appointments could lead to increased costs as parties seek to revise their respective fee proposals, thus increasing the cost to the Council.

1.4 The Appendix to this report is confidential as it provides an evaluation of the short listed contractor's stage 1 tenders to develop the arena, summarises the evaluation of the technical advisors tender submissions, details the Council's pre-tender estimate for constructing the arena and reviews the funding strategy for the development of the arena. It is considered that the public interest in maintaining this information as exempt outweighs the public interest in disclosing the information, as disclosure may prejudice the outcome of the procurement process and the cost to the Council of developing the arena, whilst the tender proposals also contain the financial details/business affairs of individual companies.

2.0 BACKGROUND INFORMATION

2.1 Leeds has long held an ambition to deliver a multi purpose arena in the city that

maximises the social, economic and cultural benefits that such a facility will deliver and will help Leeds to go up a league as a city and regularly host world class entertainment that will enhance Leeds' national and international profile.

- 2.2 The City Council's Executive Board at its meeting on 5 November 2008, resolved that the developer procurement competition for the proposed arena should be terminated without the award of a contract and, at the same meeting and as a consequence of the decision to terminate the developer competition, the Executive Board also determined that the Council would lead the delivery of the proposed arena itself on a site at Clay Pit Lane. Since that meeting, the Council has made considerable progress in the delivery of the arena within the design and cost tolerances agreed for the project.
- 2.3 At the November 2008 meeting of the Executive Board, Members also approved the injection of £65.05m into the Capital Programme to provide the balance of funding required to deliver an arena at Clay Pit Lane. In total, the estimated £80.5m outturn cost of developing the arena (inclusive of build cost, inflation, fees, land acquisition, opportunity costs and contingency) would be financed by a combination of commercial revenue generated by the project itself, with the remainder being funded by the City Council and Yorkshire Forward.
- 2.4 The City Council subsequently acquired the balance of the Clay Pit Lane site from Leeds Metropolitan University and, retained the Strategic Design Alliance (SDA) supported by Populous (formerly HOK Sport) to provide a multi-disciplinary design service to develop the design proposals for the arena. In addition to the appointment of the SDA, the Council also retained Davis Langdon to act as both cost consultant/employers agent for the duration of the project and latterly as project manager to the conclusion of RIBA Stage E, Ove Arup and Partners as planning agent and technical monitor, Turner and Townsend as Construction Design Management Co-ordinator and, IPW Ltd to provide strategic business advice on the project.
- 2.5 In parallel with the development of the design and cost proposals for the arena, the Council has completed an Agreement for Lease and Lease with SMG Europe, who will operate the venue for a period of 25 years, providing a guaranteed rental income to the Council.

3.0 **MAIN ISSUES**

(i) **Arena Organisation (Internal)**

- 3.1 The design team have progressed the scheme design proposals to the conclusion of RIBA Stage D (detailed design), along with the development of a robust cost plan sufficient, to ensure that the specification of the venue and the performance of the facilities satisfy the Council's requirements.
- 3.2 In summary, the project comprises the development of a 12,300 seat entertainment focused, multi use arena which will have flexibility of design, building construction, facilities, seating arrangement and rigging to accommodate a range of events from music and family entertainment to sporting events. Plans showing the proposed general internal arrangement of the building will be on display at the meeting.
- 3.3 The arena will contain the following core facilities as specified in the Agreement for lease concluded between the City Council and SMG Europe:-
- Main event area
 - Circulation areas
 - Food and retail concessions
 - Restaurants (one to be open on non arena event days)
 - Hospitality lounges

- Executive suites
- Toilets (including changing places toilet)
- Kitchens and storage areas
- Office and administrative areas
- Dressing rooms
- Plant and service rooms
- Secure service yard and loading area
- Substantial areas of public realm around the building for circulation and emergency evacuation.

- 3.4 The development will provide for a venue capable of seating up to 12,300 viewing patrons, but with flexibility of design which will cater for events as small as 1,500 spectators.
- 3.5 In line with the evolving entertainment focused market, rather than a traditional sports style arena in which many spectators sit 'side on' to an end stage performance, the proposed development will have a contemporary and innovative layout, with all seats facing the performance area.
- 3.6 The arena bowl will be a fan configuration, with all seats facing the performance area, having unobstructed sightlines to 'up stage centre'. The lower bowl will accommodate around 7,000 seats, including around 900 floor seats, with 15 rows of retractable seating at stage level to create a large clear standing area. The upper bowl will accommodate around 5,300 seats. In a fan or theatre style configuration spectators will be much closer to the stage area, with the seats at the rear of the auditorium being approximately 70 metres from the stage, compared with 90 – 110 metres in more traditional bowl venues such as the Odyssey Arena Belfast, or the London O2 Arena. The operator of the venue also benefits from the fact that in an end stage configuration the fan style arena does not have redundant seats behind the stage, whilst performers benefit in that they are closer to the audience.
- 3.7 Front of house, the venue will incorporate 24 executive suites, (each with an average capacity for 12 guests), an arena restaurant seating 100 guests and two hospitality lounges for 150 guests each all at ground floor level. The venue will have over 100 concession, merchandise and retail points of sale. The proposed design of the arena offers the potential to operate the arena restaurant outside of event hours, well located to the public realm and providing an active, lively frontage with the piazza space.
- 3.8 It is proposed to accommodate 110 disabled seats and 110 helper seats when the arena is in a fully seated configuration for 12,300 spectators. The disabled seats are distributed throughout the arena bowl. In addition, each executive suite can accommodate disabled patrons and helpers.
- 3.9 Vertical circulation through the public areas of the building will be achieved by a combination of stairs, escalators and lifts.
- 3.10 Back of house facilities to support SMG's proposed programme of events includes for example office space, staff rooms and meeting rooms. Dressing rooms will be contained in a separate access controlled zone close to the stage access points, whilst the backstage area also includes provision for associated ancillary space i.e. crew kitchen and dining area, press room, first aid facilities and staff locker rooms and toilets, maintenance workshop and warehouse area.
- 3.11 The venue will have a covered, enclosed loading/service area to the rear of the stage with gated secure access and storage. It will provide secure access to the arena floor and will allow the loading/unloading of three articulated goods vehicles simultaneously via the loading dock. It will be capable of meeting the access requirements of the

emergency services at all times, with additional vehicle access direct to the event floor area.

3.12 Members of the Executive Board may recall that in July 2009, the Board agreed a number of key project objectives, one of which in relation to sustainability was 'having regard to the budget available, to ensure that the Leeds arena delivers an outcome that sets a new benchmark for the sustainable performance of arenas in the UK'. Against this background, the project's approach to sustainability has been holistic, encompassing the wider social and economic impact of the development as well as the sustainability benefits of the design.

3.13 In order to identify the sustainable performance benchmark to be achieved, a review was undertaken of the Liverpool Echo arena project, the most recent UK benchmark for arena development in order to determine a baseline for sustainability performance for the proposed Leeds arena. The review was based on the BREEAM assessment undertaken for the Liverpool arena and other publicly available information. The Liverpool arena scored a BREEAM rating of 58% (very good) under the BREEAM 2005 methodology. The target for the proposed Leeds arena is to improve on this score and the current BREEAM assessment indicates a score of 61.79% is likely to be achievable. The key sustainable features to be included in the design of the arena are:-

* The building will obtain 10% of its energy from low and zero carbon sources.

* The building will include a rainwater harvesting system to provide 50% of the flushing demand.

* Materials with a high green rating will be specified where technically feasible for the building and landscaping. Materials will be responsibly sourced for example FSC timber.

* Natural daylight and passive ventilation measures will be prioritised in the concourse area and offices.

* The building will include a green sedum roof over the service yard

(ii) **Arena Design (External)**

3.14 The external design of the arena is being developed to respond to the parameters of the Clay Pit Lane site and seeks to knit together what is currently a relatively disparate and incoherent urban landscape.

3.15 Under the guidance of the Civic Architect the design philosophy will seek to promote a distinctive frontal elevation which endeavours to capture the feeling of fun and excitement of arena events and uses lighting to enable the building to 'come alive' on an evening as a key part of Leeds' night time economy.

3.16 Reflecting the prominence of the frontal elevation, the sides and rear of the building will relate more to their immediate environment and the streetscape of Brunswick Terrace and Wade Lane. In this sense the building will be developed with four distinct elevations which can be glimpsed from a variety of approaches from Clay Pit Lane, Merrion Way and Wade Lane.

(iii) **Landscape Proposals**

3.17 It is proposed that the landscape proposals will be designed to promote a sense of anticipation, excitement and a strong sense of arrival before an arena event. In addition, the scheme will also create a new piazza in the city that will help to improve

linkages between the city-centre and Little London.

- 3.18 To achieve this, it is envisaged that soft landscaping will be included along the Clay Pit Lane boundary to help provide a degree of seclusion and intimacy to the space. Hard landscaping will include York Stone paving together with, coloured tarmac for the access road and cast stone seating and steps to provide durable surfaces that will include anti-skating measures as part of the overall design.

(iv) **Planning Consent**

- 3.19 An outline planning application for the proposed arena development was submitted to the Local Planning Authority (LPA) on 6 November 2009. The application identified details of the proposed use and access and was supported by parameter plans and drawings identifying the proposed maximum and minimum tolerances of the arena building. In summary, the application was for the construction of up to a 12,500 seat (13,500 capacity) arena with associated ancillary food and beverage areas, the laying out of a new service road and the provision of new public realm between the arena building and Clay Pit Lane.
- 3.20 The Council's City Centre Plans Panel considered the application at its meeting on 22 March 2010 and granted outline planning consent subject to conditions.
- 3.21 Members of the Executive Board should note that under the procurement strategy agreed for the appointment of the contractor to construct the proposed arena (refer to paragraphs 3.23 to 3.30 inclusive below), the contractor will be responsible for completing the design of the arena and, will assume responsibility for obtaining full planning consent for the proposed development, including approval for any reserved matters and shall be responsible for discharging all specified planning conditions in respect of the full planning permission. The contractor will also obtain all statutory building regulation approvals and any other necessary consents required to facilitate the development of the arena.
- 3.22 In order to maintain the momentum and ensure continuity of the planning process, the Chief officer, Major Projects authorised the continued appointment of Ove Arup and Partners (Arup) as the Council's Planning Agent, to co-ordinate pre-application discussions with the LPA on the reserved matters planning application pending the appointment of the contractor. Thereafter, it is proposed that Arup be retained by the Council to review and submit the reserved matters planning application to the LPA, though the contractor will be wholly liable for the content and accuracy of the information and supporting documentation required to be submitted as part of the reserved matters planning application.

(v) **Contractor Appointment**

- 3.23 Executive Board at its meeting on February 2009, considered a report on the procurement options available for the appointment of the contractor to construct the proposed arena. Members were advised that the arena project team considered a range of possible procurement strategies each with a different approach to client control of the project and risk mitigation. The procurement approaches ranged from design, build and operate contracts where the control and risk rests primarily with the contractor), to design and build, through to a traditional contractor approach, where control and risk remained primarily with the Council as client for the development.
- 3.24 The Executive Board were advised that further detailed consideration needed to be given to a traditional two stage and two stage design and build contractor procurement approach and resolved to authorize the Director of City Development under the Council's scheme of delegation to determine the preferred form of construction contractor procurement. Subsequently, the Director of City Development in July 2009

authorised that the project team should proceed with a two stage design and build contractor procurement strategy. Members of the Executive Board should note that the Director of City Development also authorised as part of the contractor procurement process the appointment of a reserve contractor who would be paid a fee to maintain a knowledge of the project and be ready to 'step up' to preferred contractor status very quickly should the need arise. The action was agreed in order to mitigate risk to the Council that the preferred contractor does not use its status as sole bidder in the second stage to seek to maximise its commercial advantage.

- 3.25 In deciding to pursue a two stage design and build procurement approach for the contractor, the arena project team were of the view that the design of the proposed arena had to be developed to a good level of detail before reaching financial close, so that the Council (as client) could be certain of what it is getting and that the specification is compliant with SMG's requirements. The Council's design team have, therefore, progressed the arena design to the completion of RIBA Stage D. The RIBA Stage D design report will form the technical heart of the Employer's Requirements issued to the preferred contractor for the building works. It is, therefore, critical that the Stage D report robustly defines the design and specifications that will ensure the contractor will deliver the project in compliance with the Council's key performance indicators. Any short comings in the Stage D report will leave the Council vulnerable to scope or cost creep once the contractor assumes design responsibility for the project.
- 3.26 Given the nature of the works and that the estimated value of the construction contract was in excess of the threshold where European Procurement regulations require the contract to be advertised, a notice was placed in the Official Journal of the European Union in August 2009, inviting interested companies to express an interest in the contract by submitting a Pre-Qualification Questionnaire (PQQ). An analysis of the returned PQQ's was undertaken and a shortlist of companies was invited to tender for the potential construction contract.
- 3.27 Tenders were invited based on a two stage design and build approach, with the first stage tender being based on the bidder's fixed costs for pre-constructed services, design fees, construction stage preliminaries, design development risk and sub-contractor performance risk. In due course, the second stage tender from the preferred contractor will comprise of developing the design and tendering the physical works to an agreed list of sub-contractors, with all the costs then being brought together to define a contract sum, which is the point at which the contract is awarded. It is envisaged that contract close will be reached in September 2010. Once the contract is concluded, the vast majority of design and construction risks are transferred to the contractor.
- 3.28 The first stage tenders were received on 3 February 2010. Davis Langdon, the Council's retained cost consultant/employers agent has undertaken an analysis of the submissions based on the tender scoring method advised to the bidders as part of the tender documentation which may be summarised as follows:-
- i. Commercial and Programme Compliance (60%)
 - ii. Methodology and Resources (40%)
- 3.29 Bidders had to achieve a minimum quality threshold on 50% to allow their financial tender to be considered. It should be noted that the quality assessment was intentionally structured towards commercial delivery.
- 3.30 Appendix 1 of the report, the contents of which are Exempt/ Confidential under Access to information Procedure Rules 10.4 (3) provides an evaluation summary of the short-listed tender submissions. Executive Board is requested to endorse the decision made by the Arena Project Board on the selection of the preferred and reserve contractor to

construct the proposed arena.

(vi) **Technical Advisor Appointment**

- 3.31 One of the underlying principles of progressing the development of the arena under a design and build contract, is that an appropriate point in the design process (end of RIBA Stage D) the responsibility for completing the arena design passes to the contractor and their design team. At this point in the design process it is essential that the City Council as client, retains a technical advisor to monitor the contractor's design team outputs in terms of architecture, landscape architecture, structural/civil engineering, services engineering, specialist lighting, acoustic engineering, fire and lift engineering and access consultancy. In particular, the technical advisor's remit would range from advising the Council on the technical content and contractor's progress in developing the arena design; advising on the robustness of the design information forming the work packages through to checking the quality, compliance and completeness of works on site with the employer's requirements, contractor's proposals and statutory requirements.
- 3.32 Under normal circumstances, it would be envisaged that key members of the Council's own design team would remain with the Council to perform the role of technical advisor. However, as Jacobs (the Council's strategic design partner) has not been precluded from providing a design service to the contractors, it has been necessary to invite competitive tenders for the proposed service. Members of Executive Board should note that potential interested bidders were advised that if their company was employed in any manner by the contractor appointed to undertake the construction works for the arena, that they would be excluded from participating in this contract due to a conflict of interest existing. Accordingly, bidders were advised that as it is the intention to award this contract simultaneously with the selection of the preferred contractor and their design team, it will be uncertain as to whether a conflict of interest will exist until the procurement process for this contract has almost been completed.
- 3.33 Given that the estimated value of the commission was considered to be in excess of the EU threshold, an OJEU Notice for the appointment of a technical advisor to work on the project from RIBA Stage E onwards was placed in the OJEU Journal in November 2009. An analysis of the returned Pre-Qualification Questionnaires from interested bidders was undertaken and a competitive short-list of bidders was identified to tender for the commission.
- 3.34 Tenders were received on 3 March 2010, and an analysis of the submissions based on a 50/50 price/quality selection criteria has been undertaken. Appendix I of the report, the contents of which are Exempt/Confidential under Access to information Procedure Rules 10.4(3) provides an evaluation summary of the tender submissions. Executive Board is requested to endorse the decision made by the Arena Project Board on the selection of the technical advisor to work on the arena project.

(vii) **Programme**

3.35 The strategic development programme for the arena is as follows:-

- | | |
|---|------------|
| * Select preferred contractor | March 2010 |
| * Select technical advisor | March 2010 |
| * Outline Planning consent granted | March 2010 |
| * Endorse the preferred and reserve contractor and technical advisor appointments | April 2010 |

* Commence enabling works	August 2010
* Secure Planning Consent	August 2010
* Financial Close	September 2010
* Discharge planning conditions	October 2010
* Complete enabling works	October 2010
* Appoint contractor	November 2010
* Contractor takes possession of site	November 2010
* Start on site	January 2011
* Practical completion	November 2012
* Arena operational	Feb/March 2013

3.36 In considering the strategic development programme, practical completion is forecast for the end of 2012, however, it should be noted that the arena will become fully operational in early 2013. There are, however, opportunities to shorten the construction programme and this will be discussed with the preferred contractor once appointed. In order to maintain the current programme there will continue to be a need for a timely and disciplined approach to the project.

3.37 In order to ensure that the outline programme does not slip, the project team continue to explore opportunities to accelerate the construction programme. It is, therefore, proposed to undertake an enabling package of works prior to the contractor taking possession of the site. It is envisaged that the enabling works will comprise the stopping up and removal of redundant services and service diversions on the site, with such works commencing in early August and to be completed by late October 2010. It is considered that the cost of the enabling works will be in the region of £90,000.

(viii) **Consultations**

3.38 The Arena Project Board has been consulted on the proposals contained in the report. The Project Board supports the recommendations detailed in the report.

3.39 Yorkshire Forward, which is represented on the Leeds Arena Project Board has been fully consulted and is supportive of the recommendations contained in the report.

3.40 Under the terms of the Agreement for Lease and Lease concluded with SMG, the company has a final opportunity to review the design and specifications for the proposed arena at the end of RIBA Stage D and to confirm that the design/specifications are compliant with its requirements. SMG has 21 days in which to comment on the Stage D design proposals. At the time of report preparation, SMG has been issued with the Stage D proposals and has not raised any substantive points of concern. The company's response will be reported to the meeting of the Executive Board.

4.0 IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE

4.1 The Leeds Strategic Plan 2008/2011 seeks to facilitate the delivery of major cultural schemes of major significance. The delivery of the Leeds arena is central to delivering that improvement priority.

5.0 LEGAL AND RESOURCE IMPLICATIONS

- 5.1 Upon selection of the preferred and reserve contractor for the proposed construction of the arena, the City Council will enter into legal agreements which will commit the Council to the payment of pre-construction contractor and design fees to be funded from existing budget provision (Capital Scheme No 13307) the details of which are contained in the Appendix to the report, the contents of which is Exempt/Confidential under Access to information Procedure Rules 10.4(3).
- 5.2 Executive Board should note that the proposed enabling works outlined in paragraph 3.37 above is estimated to cost £90,000 and will be funded from existing budget provision (Capital Scheme No. 13307).
- 5.3 Details of the estimated cost of the arena based on the Stage D design proposals and the proposed funding strategy for the delivery of the arena are outlined in the Appendix to the report, the contents of which are Exempt/Confidential under Access to information Procedure Rules 10.4(3), as disclosure of such information at this time may prejudice the Council's ability to finalise the contract agreement(s) with the preferred contractor (or reserve contractor should the need arise) for the on-going development of the arena and, the Council's funding strategy for the delivery of the arena.

6.0 RISK ASSESSMENT

- 6.1 Given the scale and complexity of the arena project there remains the potential for cost increases to incur both during on-going design development and construction on site. Whilst the arena proposals have been developed to RIBA Stage D with an associated cost plan, elements of cost risk still remain particularly with respect to the cost of the proposed facade treatment of the building and, some of the off-site highway works that are required by the LPA, as the potential scope and scale of such works has yet to be defined. In addition, proposed works to the Woodhouse Lane MSCP have yet to be fully defined and until further design development and cost assessment are undertaken there is a risk that the cost of the works can not be contained within the cost plan allowance. Whilst the risk outlined above cannot be completely removed, the approach undertaken to date in securing outline planning consent and developing the scheme proposals to RIBA Stage D has sought to provide a degree of cost certainty by 'closing down, the principle off-site risks and developing a clearer understanding of the major planning requirements for the proposed development. Members of the Executive Board should note that once the contract is concluded with the contractor, the vast majority of the remaining design and construction risks are transferred to the contractor.
- 6.2 There is a risk that the City Council will incur design and consultancy costs to continue to develop the scheme proposals, only for the third party funding contributions that form part of the funding strategy for the development of the arena failing to be secured. These risks cannot be completely mitigated, however, progress continues to be made to bring third party funding agreements to an early conclusion. A progress update on the funding strategy is detailed in the Appendix of the report, the contents of which are Exempt/Confidential under Access to information Procedure Rules 10.4(3).

7.0 CONCLUSION

- 7.1 The development of a multi purpose arena is a key priority that will contribute to the delivery of the Council's Strategic Plan, which seeks to encourage investment in and the development of high quality facilities of national and international significance such as an arena.
- 7.2 Ensuring that the Stage D report robustly defines the arena design and specifications is

essential in order to ensure that the contractor (or reserve contractor should the need arise) will deliver the project in compliance with the Council's key performance indicators. The appointment of the technical advisor to provide design monitoring services to the Council, will seek to ensure the contractor complies with the quality, compliance and completeness of works on site as detailed in the employer's requirements, contractor's proposals and statutory requirements.

8.0 RECOMMENDATIONS

81 Executive Board is recommended to:-

- i) Approve the incurring of expenditure of £3m from existing budget provision (Capital Scheme No 13307) on the proposed design and construction of the arena.
- ii) Endorse the selection of the preferred and reserve contractor for the proposed building works contract for the arena as detailed in the Appendix of the report, the details of which are Exempt/Confidential under Access to information Procedure Rules 10.4(3).
- iii) Endorse the appointment of a technical advisor to monitor the preferred contractor's (or reserve contractor's) design team outputs on the arena project as detailed in the appendix of the report, the details of which are Exempt/Confidential under Access to information Procedure Rules 10.4(3).
- iv) Note the progress made in securing outline planning consent for the proposed arena development at Clay Pit Lane.

Background Papers

1. Executive Board report, 5 November 2008.
2. Executive Board report, 13 February 2009.
3. OJEU Notice, Contractor Appointment, August 2009.
4. OJEU Notice, Technical Advisor, November 2009