

## Preparing to be a Capital Project Client

### Summary

This advice note provides five top tips to help arts organisations embarking on capital projects to prepare for their forthcoming role as capital project clients.

This is one of a series of advice notes. [Other advice notes and guidance can be found on our website.](#)

### Who is this note for?

This advice note is intended to assist arts organisations considering embarking on a major capital project.

### Thanks to our funders

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## Capital Projects Process Overview

There is no standardised route towards initiating a capital project. Drivers vary enormously and can range from carrying out essential works necessary to enable an organisation to continue to function, through to works intended to enable a successful organisation to grow and expand.

The initiation stages of a project tend to be relatively informal and work around an organisation's existing internal structures and processes. However there comes a point when the approach to the project needs to change, to align with the widely recognised industry standard processes for the delivery of capital works. These processes, recognised by funders, professional teams and the supply chain, will run through the entire lifecycle of the project, and taking the time to set things up correctly at this stage will set the course for smoother project delivery. The work involved in this set up phase cannot be underestimated and it is often at this point that an external consultant may be required to support the internal team who may struggle to find the time on top of their day jobs. This external help should be someone with experience of construction project management and procurement such as a Project Director or Project Manager. Someone with previous experience of cultural projects would also be an advantage.

In broad terms the process is built around the RIBA (Royal Institute of British Architects) Plan of Work as follows:

- RIBA Stage 0
  - Strategic Definition (capital thoughts from the arts organisation internal project initiator/s)
  - Assemble existing Building Information File (see below)
  - Establish the Legal Position (see below)
  - Engage a Project Director / Project Manager (if required)
  - Establish a Project Governance Structure & Project Team (see below)
  - Appoint a Feasibility Study Design Team (consider procurement rules)
- RIBA Stage 1 Costed Feasibility Study
  - Decision to Proceed
  - Design Team Procurement (see below)
- RIBA Stage 2
  - RIBA Stage 2 Approval to Proceed
- RIBA Stage 3
  - RIBA Stage 3 Approval to Proceed
  - Planning / Listed Building Consent
  - Possibly Design & Build Procurement (see below)

- RIBA Stage 4
  - Possible Traditional Procurement (see below)
  - Mobilisation
  - Construction
  - Completion, Handover, Training & Occupation

[Find out more about the RIBA Plan of Work.](#)

## Building Information

Arts capital projects in the UK tend to involve the repair, refurbishment, or extension of existing arts buildings, which can date back to the last century in many cases. New-build arts buildings are relatively rare.

These existing buildings may have undergone significant change in their life-time and as a result, finding accurate information about the building and the surrounding site is not always easy and has the potential to add substantial cost to a project at the very outset if, for example it is decided that a site-wide measured survey must be commissioned to enable the Feasibility Study to proceed.

Prior to engaging the Feasibility Study Design Team, time should be spent assembling all the existing available information, scanning hard-copies if required, and building-up a central drive that can be shared with the Design Team at the outset. In the first instance, understanding the scale, complexity and condition of the building will assist in the preparation of meaningful fee proposals, and thereafter it will enable the Design Team to hit the ground running.

Much of the information that the Design Team are likely to ask for will be information that legislation requires you have in place to operate an arts business in your existing building, whilst others may be less obvious:

- Asbestos Management Plan
- Electrical Test Certificates
- Fire Strategy
- Legionella Test Certificates
- Site Boundary Plan
  
- Topographic Plan / Survey
- Below Ground Drainage Plan
- Architectural Plans & Sections (As-Built – Computer Assisted Design)
- Records of past Capital Projects
- Current Operation & Maintenance Documents
- Current Maintenance Logs

- Building Regulation approvals for any previous works
- Asset Registers
- Utility Bills
- Show Reports (where relevant)
- Previous Consultants Reports

It may take some time to assemble the above and it is preferable to do this over a longer period at a lower cost using in-house resource, ahead of appointing the Design Team. The cost of scanning a full set of A1 hand-drawn plans varies significantly depending on the order lead time.

Ideally the above information would be available to the Design Team at the outset.

## Legal Position

In addition to the more practical building advice listed above, those working on the project also need to be fully aware of the legal position regarding any areas that may fall within the scope of their works. Typical questions include:

- Does the Client own the site, in part or in whole?
- Does the Client lease the site, in part or in whole?
- Are any lease terms relevant to the works (e.g. is it a full-repairing lease)?
- Does the lease place any red line restrictions on changes to the site?
- Is there a formal Landlord's Consent Process to go through?
- Are there any licensing restrictions (can you provide a copy)?
- Are there any party wall issues?
- Are there any wayleaves on the site?
- Do you pay the services (gas, electricity, water) bills?
- Do you insure the building?
- What is your VAT status or VAT reclaim rate for Capital Works?
- Is the building in a flood risk area?
- Is the building listed or in a conservation area?
- If listed, do you have a Conservation Management Plan in place?
- Are there limitations on access to the site?
- Have land registry searches been carried out?

Having answers to the above, along with the building information, ready before the Design Team are appointed to carry out the costed feasibility study, will mitigate the risk of abortive works during the early stages of the project.

Working with your local legal representative to pull together a pack of essential information is highly recommended.

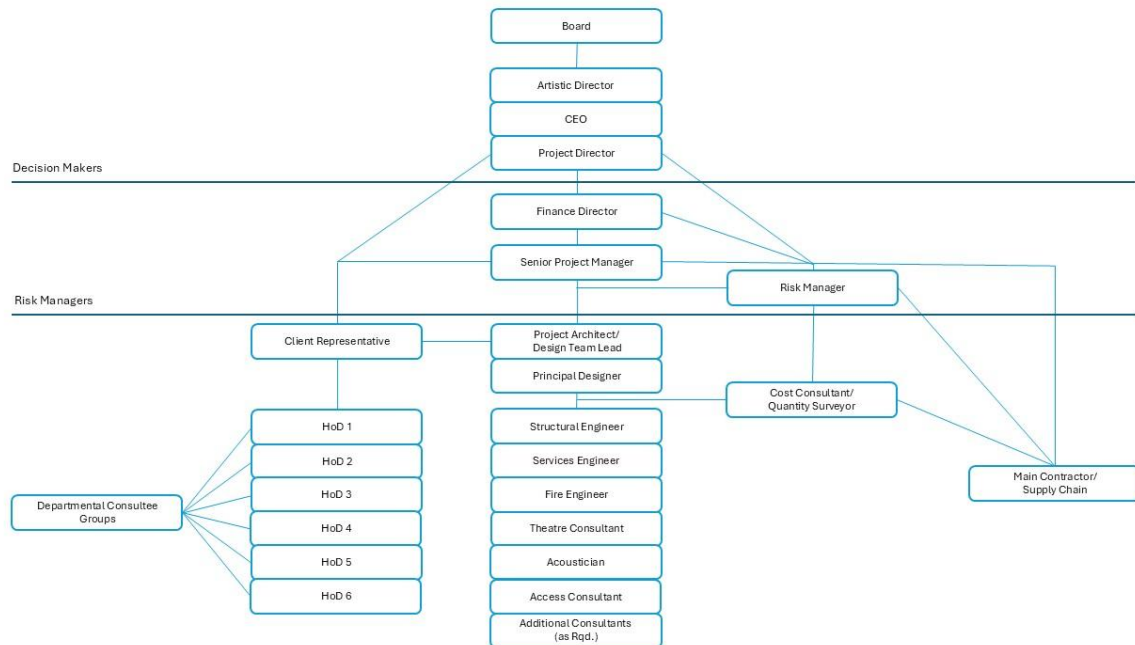
## Project Team and Governance Structure

Establishing the correct project team and governance structure can be fundamental to the success of a capital project. The project team should draw on relevant expertise that exists within the organisation and the wider stakeholder group, and where necessary, should engage specialist external support, and the structure should be relevant to the scale and complexity of the planned works.

When assembling the project team there are some key questions to consider:

- Who is the Project Champion? (Front-facing / press / funders)
- Who is the guardian of the Project Brief? (Ensuring that the completed works meet the requirements)
- Who owns the Project Budget?
- Who will manage internal comms to the wider organisation?
- Who will be the day-to-day central point of contact?
- Who will receive all drawn and written information and circulate for review as required?
- Who will review and comment on all drawn and written information?
- Who will be responsible for ensuring a timely response on all requests for information from the Client?
- Who will represent the Client in all matters relating to Change Control?

An example of a relatively simple, major capital project governance structure is as follows:



As projects grow in complexity and scale and spread across multiple specialist areas (theatre technical / catering / workshop etc.) it is likely that additional specialist steering groups and sub-committees will need to be added to the structure.

Arguably the most critical role in the above structure is that of Client Representative. This role typically owns the project brief, has a detailed understanding of the design, has oversight of the project budget, and represents the client in all project design and delivery matters. The Client Representative will be known to all levels of the client team, the professional team, the design team, the contractor, and the supply chain, and will be a central point of contact (via the proper channels) on a day-to-day basis.

The role of Client Representative is demanding and cannot usually be done alongside a day job. It is common for a member of the client team to be seconded to this project role on a part-time or even full-time basis, with their day job back-filled as required until the project is complete. This role typically grows and expands with the project however and may only require 1-day a week initially until the project gets into RIBA Stage 2 and 3.

## Procurement

During the initiation stages of a potential capital project, the first formal deliverable requiring input from a professional team is usually the costed feasibility study. This is typically considered a pre-project piece of work, as it will not necessarily lead to a project, and as a result, the associated fees and costs are usually met by the client rather than any potential project funder.

Considered as a directly funded, stand-alone piece of work, with relatively minimal fees and costs, the professional team required to deliver the study can typically be procured in accordance with the clients' own procurement policy, rather than having to meet the requirements of the procurement act. Please note that this only engages the team to deliver the costed feasibility study.

The team make-up may change relevant to the scope of the works, however for a major capital project a typical costed feasibility study professional team would comprise:

- Project Manager
- Architect
- Theatre Consultant
- Structural Engineer
- Services Engineer
- Fire Engineer
- Access Consultant
- Acoustician
- Cost Consultant

Typically, fees for this piece of work are offered as fixed and calculated on a resources-basis. At the feasibility stage the input from many members of the team may be relatively minimal and fees should reflect this.

The costed feasibility study is a crucial document as it pulls together for the first time a comprehensive project brief, tests the feasibility of meeting that brief, suggests how long the project is likely to take, and delivers a feasibility-level project budget. This information will enable the client to make an informed decision on whether / how to proceed. The information contained in the report will also form the basis of the tender pack for the procurement of the design team who will deliver the project.

Whilst the professional team fees for the costed feasibility study tend to allow for a more relaxed approach to procurement in line with the organisations internal policies, that may not be the case when looking at the fees for the remainder of the project.

Where fee levels in excess of the public procurement threshold are anticipated for the completion of RIBA Stages 2 - 7, a public tender process aligned with the Procurement Act will be required. This can potentially take three to six months and should be allowed for in the project programme.

Where fee levels below the public procurement threshold are anticipated for the completion of RIBA Stages 2 - 7, a more relaxed approach aligned to the organisation's internal procurement policy may be acceptable, however this should be checked with the project funders. This can potentially take three to four months and should be allowed for in the project programme.

Fees for RIBA Stages 2 - 7 are typically calculated on a percentage of the construction value outlined in the costed feasibility study.

Often, clients hope to use the team who delivered the costed feasibility study to complete the project, but they have to be competitively procured and as a result, this cannot be guaranteed.

Ensuring the appointment of the correct team, either as a single, architect-led team or as individual team members, will be heavily dependent on the quality of the procurement documents and the quality of the internal review process put in place. The Project Director / Project Manager can usually support or take the lead in these areas as required.

The Public Procurement Act can be found here:

[www.legislation.gov.uk/ukpga/2023/54/contents](https://www.legislation.gov.uk/ukpga/2023/54/contents)