



PAYMENT OF PROFESSIONAL AGENT FEES





Introduction

This document sets out the basis for the assessment of professional agent fees being reimbursed by Green Gen Cymru.

Green Gen Cymru agree to reimburse reasonably incurred professional agent fees for interested parties who are directly impacted by any Green Gen Cymru project.

Professional agent fees will be reimbursed either on a fixed fee, fee cap, or where agreed, an hourly rate basis which will have a cap applied to it depending on the nature of the work.

Fees based upon stage of work

Please refer to the below fee structures when agreeing fees with your agent/interested party. The fee structures below cover work that an agent may be involved in, however, if there is any uncertainty please liaise with Green Gen Cymru or their representatives before incurring any time or cost.

1.1 Survey access

Stage of work	Fixed Fee (+VAT)
Negotiation of non intrusive survey access licence	£250
Negotiation of intrusive surveys access licence	£250

1.2 Land interest questionnaire

Stage of work	Fixed Fee (+VAT)
Completion of Land Interest Questionnaire	£150

1.3 Consultation

This includes time for meetings with your agent/interested party and Green Gen Cymru representatives, as well as completion of Confirmation Schedules. This fee cap covers the time incurred up to the point of Heads of Terms being issued or your land being removed from the project boundaries. Any time incurred under Consultation will require timesheets to be submitted to Green Gen Cymru or their representatives for review prior to an invoice being raised.

Stage of work	Fee Cap (+VAT)
Consultation between agent, interested party and Green Gen Cymru representatives.	£750

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1.4 Head of terms

The negotiation of an Option Agreement or additional compensation will be covered on a level of claim basis as set out below.

Stage of work	Fixed Fee (+VAT)	
Negotiation and completion of Option Agreement	Level of Compensation	Fixed Rate
	£1 - £500	£650
	£500 - £1,000	£875
	£1,000 - £2,500	£970
	£2,500 - £5,000	£1,100
	Remainder	2.5%
<i>If the amount of compensation exceeds £50,000 then the whole fee is entirely calculated on an hourly rate basis.</i>		

1.5 Hourly rate

There may be circumstances where fees will be paid on an hourly basis which is to be agreed with Green Gen Cymru or their representatives in advance of any time or costs being incurred.

Level	Hourly Rate
Director	£150
Associate Director/Associate	£125
Senior Surveyor	£115
Surveyor	£100
Graduate	£70

1.7 Travel time

1.7.1 Expenses in relation to travel will be reimbursed in accordance with the current HM Revenue & Customs rates on a pence per mile basis. An appropriate hourly rate to account for the reasonable travel time incurred must be agreed if a time charge basis has been agreed.

1.7.2 Green Gen Cymru will only pay for travel expenses incurred outside the region where the work is located, in exceptional circumstances only. The most appropriate local expertise should be favoured.

1.6 VAT

Where the agent charges VAT, Green Gen Cymru will reimburse the VAT element in so far as the claimant cannot recover it. To reimburse, Green Gen Cymru will require confirmation of the interested parties VAT status prior to any reimbursement.



1.8 Agent obligations

- 1.8.1 The contractual relationship for professional agent fees will be between the agent and the land interest. The land interest has ultimate responsibility for fees, however, land interests are entitled to reclaim reasonable and commensurate professional fees from Green Gen Cymru. This is in line with professional statements from both RICS and CAAV in relation to fees.
- 1.8.2 Green Gen Cymru will follow the RICS Professional Statement Surveyors advising in respect of compulsory purchase and compensation with regard to fees.
- 1.8.3 Agents must supply Terms of Engagement to their client which details the scope of work and activities to be undertaken. The Terms of Engagement must also contain the rates based on position within the firm. A copy of the signed Terms of Engagement is to be supplied to Green Gen Cymru's appointed agent to confirm instruction prior to any costs being incurred.
- 1.8.4 The seniority and experience of the individual representing an interested party should be appropriate for the activity being undertaken and may vary for different aspects of the scheme and engagement with Green Gen Cymru. The individuals and levels proposed need to be agreed between the parties in advance of the work commencing.
- 1.8.5 Green Gen Cymru will consider it reasonable for interim claims in relation to the reimbursement of agent's fees to be submitted on a quarterly basis. Any proposed deviation from this will need to be agreed with Green Gen Cymru with an explanation at the outset.
- 1.8.6 Fixed fee work will not require the submission of timesheets.
- 1.8.7 Any invoices submitted for time accrued under a fee cap, or any hourly rate, will require detailed timesheets to be submitted to Green Gen Cymru or their appointed agents for review and approval prior to an invoice being raised. If the wording of a timesheet entry does not support the number of hours claimed, Green Gen Cymru or their representatives may have to ask for further information and/or clarification. Once Green Gen Cymru or their representatives have approved the timesheets, an invoice can be raised.
- 1.8.8 Green Gen Cymru will not cover fees for any objection to the scheme nor will they cover any third-party fees for formulating an objection.
- 1.8.9 If there is any uncertainty regarding the reimbursement for specific work, Green GEN Cymru suggest that this is raised in advance of the time or cost being incurred.
- 1.8.10 In the event that Green Gen Cymru abandons its works prior to carrying out the works, other than as a consequence of representations made by the claimant, the agents abortive fee will be reimbursed on a time charge basis. This shall not exceed the fee that otherwise would have been payable.
- 1.8.11 Agents to review and be aware of the Rights over land for electricity infrastructure - Code of Practice (CAAV, RICS, ENA).
- 1.8.12 Agents are expected to follow the RICS Professional Standard 'Surveyors advising in respect of compulsory purchase and statutory compensation', UK, 2nd edition (as may be substituted or amended).

1.9 Invoicing

- 1.9.1 Invoices are to be raised to the interested party as client and addressed to the interested party. Invoices are to be noted as payable by Green Gen Cymru.
- 1.9.2 Green Gen Cymru will reimburse agents directly subject to the agent obtaining a signed payment release form from the interested party.