

## UK TRANSPARENCY RULES

Bryan Cave Leighton Paisner LLP (“BCLP”, “the firm”, “we” or “us” ) is a limited liability partnership registered in England and Wales under number OC315919. It is authorised and regulated by the Solicitors Regulation Authority (the “SRA”), whose rules can be obtained from [www.sra.org.uk/handbook/](http://www.sra.org.uk/handbook/).

The SRA Transparency Rules require us to provide pricing information in relation to a limited number of specific services which we offer as part of our usual business from our UK offices.

We understand that clients demand both value for money and price certainty from their legal providers. We also understand that clients buy outcomes and solutions (not hours) and expect efficient and cost effective delivery of those outcomes. We offer our clients control, choice and certainty as to how outcomes and solutions are to be delivered. Our ability to map out a streamlined and cost effective route to delivery, combining both bespoke advisory services and alternative delivery approaches, helps us to meet client value expectations.

Where there is a clearly defined and agreed set of deliverables we are able to offer a fixed fee, mitigating pricing risk and giving you budget certainty.

If there are changes in circumstance, outside of the control of either you or BCLP, which significantly change the scope of work during the course of a matter we will discuss any change in our fee estimates with you first before proceeding. Similarly, for more complex circumstances where scope is less defined at the outset or outcomes more uncertain, we can offer you alternate fee approaches where we match our pricing mechanism to the issues being faced and are happy to work with you through the various options available.

Our services to you will be overseen by our partners and qualified lawyers and, together with other professionals and their support teams, are our subject matter experts in their chosen fields. Further details of background credentials for all our lawyers can be found [here](#).

Bryan Cave Leighton Paisner looks to build long standing and deep relationships with our clients. In return for greater commitments and ongoing regular workflow we may offer further reductions to our charges beyond the stand alone transaction pricing quoted.

For pricing information regarding the specific services in respect of which we are required by the Transparency Rules to provide information, please click on the links below. Our fees and disbursements (i.e. costs that are payable to third parties) for these services will vary depending on

a number of factors. We have attempted to provide a indication of these below, together with details of the process and likely timescales. These indications are necessarily based on a number of assumptions that may change from project to project. Where applicable, VAT will be charged at 20%.

For information on the experience and qualifications of the BCLP teams that deliver these services, please visit our [People Directory](#).

## **SPECIFIC SERVICES**

- Residential Conveyancing
- Employment Tribunals (defending claims for unfair or wrongful dismissal)
- Licensing applications for business premises (new applications and variation of existing licenses)

## **RESIDENTIAL CONVEYANCING**

We typically advise high-net-worth individuals, their families, businesses and advisers on all forms of directly held, diversified and corporatised real estate, including purchases and sales of high value residential real estate.

## **RESIDENTIAL PURCHASES**

### *Stages of the process*

The precise stages involved in the purchase of a residential property vary according to the circumstances but generally include:

- Taking your instructions and giving you initial advice;
- Checking finances are in place to fund the purchase and contacting the lender's solicitors if appropriate;
- Receiving, negotiating and advising on contract documents;
- Carrying out searches;
- Obtaining further planning documentation if required;
- Making any necessary enquiries of the seller's solicitor;

- Giving you advice on all documents and information received;
- Reporting on the terms of your lease (if relevant) and any ancillary documents;
- Going through the conditions of any mortgage offer with you;
- Sending the final contract to you for signature;
- Agreeing the completion date (date from which you own the property);
- Exchanging contracts and notifying you that this has happened;
- Drafting a completion statement (which details what you will need to pay in order to complete) and Stamp Duty Land Tax (“SDLT”) or Land Transaction Tax (“LTT”) return;
- Arranging for all monies needed to be received from the lender and you;
- Completing the purchase;
- Dealing with the payment of SDLT/LTT;
- Dealing with the application for registration at the Land Registry; and
- Notifying any landlord of the change of ownership.

### *How long will my purchase take?*

How long it will take from your offer being accepted until you can move in to your home will depend on a number of factors (including the number of other parties in the “chain”, your bank and any title issues). On average you should expect this to take months rather than weeks but there may be circumstances where this can be expedited.

### *Legal costs in relation to a residential purchase*

- Fees: Our fees for a residential purchase are charged at an hourly rate and are likely to be between £5,200 and £52,000 plus VAT. The exact figure will depend on the value of the property, the complexity of the transaction and the seniority of the lawyers involved. [Click here for more details on our team](#). See below for complicating factors
- Our fees cover all of the work required to complete the purchase of your new home, including dealing with registration at the Land Registry and dealing with the payment of Stamp Duty Land Tax (SDLT) if the property is in England, or Land Transaction Tax (LTT) if the property is in Wales; and
- VAT is payable on our fees at the standard rate prevailing at that time.

In addition to our fees you will be responsible for the following costs:

- HM Land Registry: Land Registry information fees @ £6 per registered title (often only one), and @ £3 per copy document required; a copy lease @ £9 and registration fees dependent on the value of the property. Click here (<https://www.gov.uk/guidance/hm-land-registry-registration-services-fees>) for more information on the various bands (we use the Business Gateway except in limited cases where Land Registry rules prevent us from doing so);
- Electronic Money Transfer Fees: We charge an electronic money transfer fee of £25 plus VAT per transfer;
- Search fees: We recommend certain searches when purchasing a new property and if you are borrowing money your bank will also require these. The exact searches will depend on the location of your property both due to the different charges levied by different local authorities and particular location related risks e.g. coal mining in some areas of the country. London searches tend to be more expensive than those in other parts of the country. You can expect to pay in the region of £385 - £800 for these (some of which will be subject to VAT);
- SDLT/LTT: The amount payable depends on the purchase price of your property. You can calculate the amount you will need to pay by using HMRC's website here <https://www.gov.uk/guidance/hmrc-tools-and-calculators#stamp-duty-land-tax-sdlr> or if the property is located in Wales by using the Welsh Revenue Authority's website <https://littcalculator.wra.gov.wales/>;
- Third Party Fees: On a purchase involving overseas companies there may be additional legal fees charged by a law firm in that jurisdiction for giving a legal opinion as to the capacity and constitution of the company. You should budget £5,000 plus VAT for this; and
- Additional leasehold disbursements (i.e. where you are taking a lease not a freehold interest – this is common with apartments): these fees vary from property to property and can on occasion be significantly more than the ranges given below. We can usually give you an accurate figure once we have sight of your specific documents but sometimes this cannot be confirmed until part way through the transaction.
  1. Notice of Transfer and Notice of Charge fees – these fees if chargeable are set out in the lease. Often each fee will be between £75-£150 plus VAT
  2. Deed of Covenant fee – this fee is provided by the management company for the property and can be difficult to estimate. Often it is £150-£450 plus VAT
  3. Certificate of Compliance fee to be confirmed upon receipt of the lease. Often it is £50-£250 plus VAT

If you are purchasing a leasehold interest you should also be aware that ground rent and service charge are likely to apply throughout your ownership of the property. We will confirm the ground rent and the anticipated service charge as soon as we are able.

**Complicating factors** that may impact pricing include:

- Where you need funding, structuring and taxation advice;
- Where there are planning and/or construction elements;
- Where there are employment contracts for any staff at the property;
- If you need tax planning on real estate investment, trading and development;
- Where there are non-resident landlords;
- If you need estate planning advice for UK real estate;
- If there are fiduciary real estate holding structures involved;
- Around development and servicing agreements;
- Where there are joint ventures;
- Where unforeseen matters arise e.g. a defect in title which requires remedying prior to completion or the preparation of additional documents ancillary to the main transaction;
- Where the transaction involves the grant of a new lease rather than the assignment of an existing lease;
- Where parties are uncooperative or there is unreasonable delay from third parties in providing documentation;
- Requesting or checking legal opinions relating to overseas companies; and
- Liaising with lenders and their lawyers where separately represented.

Where we are acting for purchasers in relation to a specific purchasing scheme we may offer a fixed price fee for purchasers.

## **RESIDENTIAL SALES**

### *Stages of the process*

The precise stages involved in the sale of a residential property vary according to the circumstances but generally include:

- Taking your instructions and giving you initial advice;
- Contacting your lender's solicitors if appropriate;
- Drafting, negotiating and advising on contract documents;
- Obtaining further planning and leasehold documentation if required;
- Replying to any enquiries of the buyer's solicitor;
- Sending the final contract to you for signature;
- Agreeing the completion date (date from which you will no longer own the property);
- Exchanging contracts and notifying you that this has happened;
- Completing the sale; and
- Arranging for completion monies to be sent to you and any outgoing lender.

### *How long will my sale take?*

How long it will take from you accepting an offer until the buyer can move in to your property will depend on a number of factors (including the number of other parties in the “chain”, your bank and any title issues). On average you should expect this to take months rather than weeks but there may be circumstances where this can be expedited.

### *Legal costs in relation to a residential sale*

- Fees: Our fees for a residential sale are charged at an hourly rate and are likely to be between £5,200 and £52,000 (plus VAT). The exact figure will depend on the value of the property, the complexity of the transaction and the seniority of the lawyers involved. [Click here for more details on our team](#). See below for complicating factors.
- Our fees cover all of the work required to complete the sale of your property, including dealing with the Land Registry to obtain up to date title information and in the case of leasehold property liaising with other interested parties including the landlord and management company.
- VAT is payable on our fees at the standard rate prevailing at that time.

In addition to our fees you will be responsible for the following costs:

- HM Land Registry: You will also need to budget for Land Registry information fees @ £6 per registered title (often only one) and for leaseholds a copy lease @ £9;

- **Third Party Fees:** On a leasehold sale there may be Licence to Assign fees and/or deed of covenant fees. These fees vary considerably according to the documents, parties and property but you should budget for £550-£5,000 plus VAT. On a sale involving overseas companies there may be additional legal fees charged by a law firm in that jurisdiction for giving a legal opinion as to the capacity and constitution of the company. You should budget £5,000 plus VAT for this; and
- **Electronic Money Transfer Fees:** We charge an electronic money transfer fee of £25 plus VAT per transfer.

**Complicating factors** that may impact pricing include:

- As above for residential purchases.

## **DEFENDING CLAIMS FOR UNFAIR OR WRONGFUL DISMISSAL**

We typically advise and represent employers in the defence of complex Employment Tribunal matters involving uncapped compensation claims such as discrimination or whistleblowing, brought concurrently with claims for “ordinary” unfair dismissal and/or wrongful dismissal. In accordance with the Transparency Rules we provide information below in relation to claims for unfair dismissal and/or wrongful dismissal.

### *Stages of the process*

The stages involved in defending a claim for unfair dismissal and/or wrongful dismissal vary according to the circumstances but generally include:

- **Responding to the claim:** this includes taking your initial instructions, reviewing the claim form (ET1) and background papers, drafting and serving the response form (ET3), and advising on the merits, the key issues and the future steps in the case.
- **Case management:** this includes instructing and working with counsel (a barrister) regarding case management discussion issues at the preliminary hearing, and generally preparing for and attending the preliminary hearing.
- **Document disclosure:** this includes reviewing, preparing and exchanging disclosure documents, and reviewing the claimant’s disclosed evidence. It can also include defending applications for specific disclosure.
- **Witness statements:** this includes drafting and reviewing witness statements in light of discussions with the witnesses, you and counsel, exchanging finalised witness statements with the claimant, and reviewing and advising on the claimant’s witness statements. There might also be supplemental/additional witness statements, and these need responding to.

- **Preparing for and attending final hearing:** this includes agreeing and preparing the final hearing bundle of documents, briefing and liaising with counsel in preparation for the hearing, considering schedule of loss issues, preparing a list of issues, chronology and cast list, and attending the final hearing.

### *How long will it take to defend the claim?*

The time it takes to deal with a particular claim is fact specific and depends on external factors such as listing times at the relevant Employment Tribunal. In very broad terms, the time from taking initial instructions from an employer who has received a claim form through to the final hearing can be approximately 26 to 48 weeks. We would give you more informed estimates of both overall timescales and the timescales for the different stages of the matter as the case goes on.

### *Legal costs*

Our fees range for defending a simple unfair dismissal and/or wrongful dismissal claim through to final hearing in the Employment Tribunal are charged at an hourly rate and typically range from £60,000 to £110,000 plus VAT. [Click here for more details on our team.](#)

In addition to our fees you will be responsible for the following costs:

- Counsel's fees (which will depend on the experience of counsel for advising on the case), for example, advising on witness statements, is charged at their hourly rates.
- Counsel's fees for representing you at Employment Tribunal hearings. Typical fees for this type of case are:
  - Preliminary hearing: £2,500 to £6,000 plus VAT
  - Final Hearing: £9,000 to £17,500 plus VAT
- *VAT is payable on our fees at the standard rate prevailing at that time.*

### *Assumptions*

- The case involves an ordinary unfair dismissal and/or wrongful dismissal claim. There are no other types of claim involved, for example whistleblowing or discrimination, and the claim does not involve any form of automatically unfair dismissal. If we were instructed by you to defend a claim solely for wrongful dismissal, we would expect our fees to be towards the lower end of the fee range.
- We are instructed after ACAS pre-claim conciliation has concluded and you have received the claimant's claim form.



- The claimant is legally represented throughout.
- You have up to two willing witnesses. The claimant gives evidence on their own behalf and does not call any other witnesses. All witnesses give evidence in person at the Employment Tribunal.
- There is one preliminary hearing dealing with standard case management directions only, together with a final hearing that lasts 2 days covering both liability and remedy issues.
- The case runs through to conclusion at the final hearing. As work on settling a claim is case specific, we would quote separately for dealing with settlement and with any mediation process. If the matter looks likely to be resolved before particular stages of work are required, we would discuss this with you and update our fee quote to take this into account.
- Counsel is instructed to conduct the advocacy at all hearings during the litigation. No other third party experts are required, for example, for matters such as assessing compensation or to conduct witness familiarisation.
- There are no other Respondents and only one Claimant.

## NEW APPLICATIONS AND VARIATION OF EXISTING LICENSES

Fixed fee arrangements will vary from application to application depending on the nature and complexity of the application. We will always discuss our fees and associated costs with clients up front and seek to find a cost solution which works for a given client. We offer to break down the application process into stages and agree a fixed fee for each of those stages. [Click here for more details on our team.](#)

In accordance with the Transparency Rules we provide information below in relation to two types of application which may be made under the Licensing Act 2003:

- applications for new premises licences made under section 17 of the 2003 Act ("**New Applications**"); and
- applications to vary an existing premises licence under section 34 of the 2003 Act ("**Variation Applications**").

The key point to understand is that **New Applications** or **Variation Applications** will differ in terms of complexity and what might be required for a number of reasons. As such, we think the most transparent way of indicating our likely fees is to give you a range of fixed fees for each type of application ranging from the simple to the more complicated (e.g. where there may be multiple applications made over a longer period of time and where consideration of factors beyond licensing such as planning, lease restrictions, construction matters or noise issues may come into play) but

accepting that some arrangements may be so complex (or the work we are requested to do beyond what one might normally expect with the normal process) that they fall outside of that range. In addition, some clients may be able, and wish, to deal with certain aspects of the process themselves whereas others may not.

### *Stages of the process*

The precise stages involved in making and/or varying an application may vary according to the circumstances but generally include:

- drafting and submission of the application form;
- supplying copies of supporting documentation to accompany the application, such as layout drawings, copies of management or other policies, Designated Premises Supervisor consent forms, background or supporting information and carefully drafted conditions (if not contained within the body of the application itself);
- submitting a copy of the application to the responsible authorities (police, planning, EHO etc)
- advertising the application in a local newspaper;
- displaying a notice in the prescribed form (and checking the same) at the premises for a period of 28 days;
- If there are no valid objections (technically called representations) made against the application then the application will be granted as applied for;
- Should valid objections be made then, depending on the content of the written objections, it may be possible to overcome them but failing that a hearing will be required to determine the application; and
- It is hard to predict what the objections may be in a given case or by whom they will be made. For that reason, we will agree fees for this element of the work separately once the scope is known. Hearings can be dealt with by our solicitor advocates, or, should a client prefer by counsel which would then incur a separate cost.

### *How long will my New Application or Variation Application take?*

How long it will take from the start of your application to your license being issued will depend on a number of factors (including the number and type of any objections). Typically New Applications and Variation Applications will take between 33 and 42 days if there are no objections. Where there are objections which result in a hearing, this should in theory add an extra 4 weeks to the process but with some local authorities this will take longer due to the availability of hearing dates.

### *Legal costs for New Applications*

- For drafting, lodging and advertising the application our fixed fees will range from £900 to £6,000 (excluding VAT) (this excludes the very complex or exceptional applications)

In addition to our fees you will be responsible for the following costs:

- an application fee payable to the local authority which is based on the rateable value of the application site - these fees are set by central government and further information is available from <https://www.gov.uk/government/publications/alcohol-licensing-fee-levels>(no VAT payable);
- the cost of a newspaper advertisement which may range from about £75 to £750 (plus VAT) depending on the newspaper;
- fees of a process server to display the notice (if you are not be able to display the on-site notice yourself) and to check it remains on display (if you are not be able to check this) (plus VAT). Fees will again depend on locality (rural areas may be harder to get to) and the scope of the instructions to the process server. Typically, this will cost between £200 and £800 (plus VAT); and
- courier charges or special delivery charges – if there is an urgent need to lodge the application. Special Delivery typically costs between £7.50 and £15 (plus VAT) per copy of the application.

### *Legal costs for Variation Applications*

- For drafting, lodging and advertising the application our fixed fees will range from £500 to £4,500 (excluding VAT) (this excludes the very complex or exceptional applications)

In addition to our fees you will be responsible for these following costs:

- an application fee payable to the local authority which is based on the rateable value of the application site - these are set by central government and further information is available from <https://www.gov.uk/government/publications/alcohol-licensing-fee-levels>(no VAT Payable);
- the cost of a newspaper advertisement which may range from about £75 to £750 (plus VAT) depending on the newspaper;
- fees of a process server to display the notice (if you are not be able to display the on-site notice yourself) and to check it remains on display (if you are not be able to check this) (plus VAT). Fees will again depend on locality (rural areas may be harder to get to) and the scope of the instructions to the process server. Typically, this will cost between £200 and £800 (plus VAT); and

- courier charges or special delivery charges – if there is an urgent need to lodge the application. Special Delivery typically costs between £7.50 and £15 (plus VAT) per copy of the application.

### *Dealing with Objections to and Hearings for New Applications and Variation Applications*

Fixed fee range - £250 to £15,000 (plus VAT) (this excludes the very complex or exceptional applications)

In addition to our fees you will be responsible for the following costs:

- As we set out above, the nature and volume of objections, and the issues raised within them, is likely to vary on a case by case basis.
- Travel costs to and from the hearing – the cost will be dependent upon the location of the hearing venue. We will seek to achieve the best price we can for these (but often we will be travelling at peak times) - further information on train journey costs may be available from national rail journey planner or similar websites.
- Counsel's fees – likely to be in the range of £750 to £20,000 (plus VAT) (which takes into account the complexity of the application and the seniority of counsel).

### *Assumptions*

- Where applicable VAT will be charged at the standard rate prevailing at that time.
- In the case of applications, the work involved is simply for drafting lodging and advertising the application (single application) and reporting to you on progress;
- Your instructions do not change and the assumptions based on those instructions remain valid;
- The application does not require substantial amendment;
- You are in a position to provide all the background and supporting information in a timely and efficient manner and that we do not have to chase for that information;
- In the case of applications, that no additional meetings beyond scoping the application are required such as pre-application advice meetings with statutory authorities;
- In the case of dealing with objections and hearings, this will include dialogue with those objecting (by correspondence or via phone calls) and attendance at hearings but not a series of meetings with residents and/or statutory authorities;
- That detailed advice on the local authority policy, government guidance or applicable case law is not required;

- In the case of hearings, that the hearing lasts no more than one day; and
- That you wish to deal with the matter on a fixed fee basis, if not, we are happy to discuss alternative fee arrangements.

**Complicating factors** that may impact pricing include:

- the nature and breadth of the operation (an application for a hotel with ancillary facilities will require more than an application for a simple off licence);
- the range of licensable activities applied for and the hours sought (which may bring local authority policy considerations into play);
- history of the premises and the relationship with nearby residents or statutory authorities;
- the location of the site for which the licence is sought (some properties may fall within what are known as cumulative impact policy areas where there is a presumption that applications will be refused) meaning that additional work may be required in order to achieve the successful grant of a licence;
- whether the application to be made is inconsistent with other policy or guidance considerations; and
- whether the licence application is linked to other work streams or affected by other matters which you wish us to take account of, such as proposed planning applications and linking the applications into overall strategic advice.
- In addition for **Variation Applications**, the reasons for the variation and what can be approved by this process differ on a case to case basis, and this will affect the complexity of the application and the work required. For example:
  - an application which seeks to change the wording of a condition on its own might be quite straightforward and may require little supporting information;
  - an application to approve a proposed change of layout could be fairly simple, if the changes are minor, but might be more complex if the extent of the area is increasing or the changes to the areas are more dramatic; and
  - adding in new licensable activities to the existing licence or extending the times when these are available will typically but not always be slightly more involved.
- In addition, it is possible for Variation Applications to include all three aspects which is likely to increase the complexity and thus the cost of any application to be made.

- Finally, it may be where multiple applications are to be made at the same time or there is a volume of work that the individual application cost can be reduced.