



Primary care

A briefing from our Commercial Property team - Spring 2010

How to manage your legal spend and save money!

Do you sometimes complain about your lawyers' high legal fees? If so, please read on...

Like any other business, as a developer in the primary care sector we are sure you are looking very carefully at every aspect of your business to save costs. The effects of the recession, and the need to cut costs, have caused developers to focus afresh on this issue. One area you perhaps have not yet focused on is your legal spend.

Why not? Perhaps you think changing lawyers is too difficult (it could not be easier!) or maybe you do not want to cut an established link (understandable, but look at the money you could save!).

Many developers are using law firms - particularly City of London based firms - who are charging rates which are probably double what can be obtained for the same **quality** and **value**.

We appreciate that for some of your work you will want to use tried and tested legal advisers – but we would suggest that you could save considerable legal fees, but not compromise on the quality of advice you receive, by employing a firm with experience in the primary care development sector. That is where we may be able to assist.

Who are Morgan Cole?

We are a large commercial law practice with 57 partners and over 300 lawyers, with offices in South Wales and Southern England, serving clients throughout England and Wales.

We offer clients a full range of commercial law services.

Chambers & Partners legal directory describes Morgan Cole as "... one of the UK's leading business law firms providing services to clients in the UK, Europe and beyond" which "...dominates the Welsh healthcare market and cuts an impressive figure in the South of England".

Our Property team of nine partners and 30 lawyers is celebrated by clients for providing excellent service from top to bottom, giving personal partner attention as well as clear, unequivocal advice and solutions to problems.

Who do we act for?

We have sought to establish a specialist health and social care property practice over the past 20 years. Our experience means that our lawyers fully understand the relevant codes of conduct, accountability and probity that constrain land transactions within the NHS.

We act for (amongst others):

- Department of Health
- Welsh Assembly Government
- Oxfordshire Primary Care Trust
- Bath & North East Somerset Primary Care Trust
- Newham Primary Care Trust
- Plymouth Teaching Primary Care Trust

We have significant expertise in the development of health campuses, primary care resource centres and medical centres in England and Wales and currently act for developers, Local Health Boards, PCTs and GPs in the procurement, acquisition, funding, development and subsequent lease arrangements of such developments.

We currently act for the following clients in such developments:

- Cardiff & Vale University Local Health Board
- Abertawe Bro Morgannwg Univeristy Health Board
- Cwm Taf Local Health Board
- Aneurin Bevan Local Health Board

- GP Practices throughout Wales
- Primary Asset Limited
- Medicx Limited

We have also recently advised Welsh Health Estates on the form of proposed template property documentation for primary care developments that it wishes to implement in all such future developments in Wales.

Why Morgan Cole?

As a legal firm, our mission is like any good business - we aim to offer:

- a quality service
- in an efficient, friendly manner
- at a competitive price
- giving value for money

As an example:

Charge out rates:

Partner: £240 per hour
 Assistant lawyers: £160 - £200 per hour

Much of the work we handle is done by our assistant lawyers, with partner supervision where necessary.

Typical primary care development transaction fees:

From experience, our fees for a typical development are between £15,000 to £17,500 plus VAT and expenses which would cover:

- All work required to acquire the development site including a development appraisal, undertaking and reporting on all relevant local and other searches, negotiation of contract documentation, and all post-completion matters.
- Negotiation of the Development Agreement for Lease terms with the GMS stakeholder(s).
- Negotiation of the proposed TIR Lease terms with the GMS stakeholder(s).
- Advice on the proposed method of building procurement to be commissioned by the client including advice on construction issues and the requirement for warranties (and the negotiation of the terms thereof).
- Liaising where necessary with the District Valuer and public sector surveyors/advisers.

The above fees are for a typical transaction where all commercial terms have been agreed between the client and District Valuer.

We are also able to assist with both acquisition and development funding of such projects. In these instances, our typical fee may need to be revised to reflect the additional work should we be instructed to act for the client's funder.

More information

If you would like to discuss whether Morgan Cole could assist your business, please do not hesitate to contact:



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