

# Landscape Institute

**ENGAGING A LANDSCAPE CONSULTANT  
GUIDANCE FOR CLIENTS ON FEES  
SEPTEMBER 2002**

The Landscape Institute  
33 Great Portland Street  
London  
W1W 8QG

Tel: +44 (0)20 7299 4500  
Fax: +44 (0)20 7299 4501  
Email: [mail@landscapeinstitute.org](mailto:mail@landscapeinstitute.org)  
Web: [www.landscapeinstitute.org](http://www.landscapeinstitute.org)

# CONTENTS

## Foreword

1. Introduction
2. The Client and the Landscape Consultant's Appointment
3. Landscape Consultant's Fees and Expenses

Table 1          Classification of Landscape Work according to complexity

Table 2          Guide to Stage Payment of Fees

Fee Graph      April 2002 Graph

Examples        Worked Examples of Percentage Fee Calculations

Appendix        Fee Guidance for Planning Supervisors

First produced in draft form in June 1995 and based on "Engaging an Architect, Guidance for Clients on Professional Fees" as published by RIBA Publications Limited, and with their permission.

No part of this booklet may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, electrostatic, magnetic tape, photocopying or otherwise, without permission in writing from The Landscape Institute.

Engaging a Landscape Consultant, Guidance for Clients on Fees

First Published August 1996

Revised September 2002

Appendix added June 2003

© The Landscape Institute

**ISBN 1 873071 08 6**

## **FOREWORD**

The Landscape Institute withdrew its mandatory Scale of Professional Charges in 1986 and up to the first publication of this guidance in June 1995, had no formal basis on which to advise clients and landscape consultants on fees. This guidance acknowledges that fee competition is part of a free market but in order to secure comparable fee offers the client needs a baseline on which to evaluate fee proposals.

This guidance will also help when reading fee agreements, if professional services do not have to be tendered, or where they may be a partnering agreement or a framework agreement.

Value for money flows from landscape consultants who can maintain quality of service through adequate resources, design flair, appropriate experience, a cooperative attitude, and who can invest in people, training and technology through proper levels of remuneration. Experience has now shown that clients who choose on price alone frequently find that this is a recipe for second rate schemes born of a 'adversarial' stance where as little as possible is offered for cut price fees.

In contributing to the Construction Industry Council's (CIC) Guidelines for the Value Assessment of Competitive Tenders, The Landscape Institute is in the main stream of professions that seek to promote the principle of quality balanced with price in providing the best value for money. Government has acknowledged the emphasis on quality as well as price in the procurement of professional services, while still adhering to the principle of competition.

This Guidance for Clients on Fees is as much a fair basis for achieving an appropriate fee as it is a test to identify those who seek to provide the minimum for the cheapest possible fee. I hope that clients and their landscape consultants alike will use it as the main means of evaluating or preparing fee proposals; that clients will consider all that their landscape consultants are offering; and not merely price; and that this Guidance will foster a satisfactory standard of service for fair remuneration.

***Roderick I S Edwards***

**President, The Landscape Institute**

## 1. INTRODUCTION

- 1.1 This booklet has been compiled in response to requests both from clients and members of The Landscape Institute. Its purpose is to improve the working relationship between clients and landscape consultants by providing information and guidance specifically addressed to clients that will lead to a better understanding of how landscape consultants' fees for a professional appointment may be calculated, charged and paid.
- 1.2 To assist clients The Landscape Institute publishes a Register of Practices that includes information on firms that meet the professional qualification, and financial and professional indemnity insurance criteria required by The Landscape Institute. The Director General also operates a nominations procedure to assist clients in selecting a landscape consultant.
- 1.3 *The fee scale graphs included in this booklet are indicative and are intended to act as a guide to help clients and landscape consultants evaluate appropriate offers and agree fees by negotiation.*
- 1.4 Any questions concerning the information contained within this Guide should be referred to the Director General of The Landscape Institute by letter at:

**The Landscape Institute**  
33 Great Portland Street  
London W1W 8QG

*Or by telephone on 020 72994500 or facsimile 020 7299 4501 or email on [mail@landscapeinstitute.org](mailto:mail@landscapeinstitute.org)*

- 1.5 Publications referred to in this Guide that are available from The Landscape Institute are:

The Landscape Consultant's Appointment  
Guide to Procedure for Competitive Tendering  
Directory of Registered Landscape Practices  
Appointing a Chartered Landscape Architect: Guidelines for Best Value

## 2. THE CLIENT AND THE LANDSCAPE CONSULTANT'S APPOINTMENT

- 2.1 Generally.** A sound working relationship between the client and the landscape consultant can contribute significantly to the success of a project. Time spent in preliminary discussion with the landscape consultant is time well spent. The client should talk through the project requirements and discuss whether they can be realised within a budget and to a required programme. The Landscape Institute recommends that clients should have a clear understanding of the total cost of consultancy services including what expenses and disbursements are likely. As the project progresses, clients may wish to be actively involved, with their consultants retained to explain and advise.
- 2.2 Form of Agreement.** The agreement between client and landscape consultant may take the form of an exchange of letters in the case of small or simple projects, but for anything larger or more complex it is advisable to use the standard Memorandum of Agreement of The Landscape Institute. Under The Landscape Institute Code of Conduct it is the duty of the landscape consultant to write to the client setting down the terms of a commission.
- 2.3 The Landscape Consultant's Appointment.** This is a standard form that consists of a number of parts designed to enable the client and the landscape consultant to define the most appropriate range of services and conditions of appointment for a project. It should assist the parties to express formally the agreement reached between them.
- 2.4 Standard Form of Appointment.** This standard form of appointment covers the four parts set out below, a Memorandum of Agreement and a schedule Table 2 lists the work stages that form part of "Preliminary" and "Standard Services."
- 2.4.1 Part 1. *The Landscape Consultant's Services* lists and describes the "Preliminary" and "Standard Services" that are normally provided, and are common to most commissions.
- 2.4.2 Part 2. *Other Services* lists and describes a range of activities that can be agreed as independent elements of work, or as a supplement to "Preliminary" and "Standard Services."
- 2.4.3 Part 3. *Conditions of Appointment* describes the conditions that normally apply.
- 2.4.4 Part 4. *Professional Fees*, incorporates and expands on this Guidance.
- 2.4.5 *The Memorandum of Agreement* is a format for recording the parties to the agreement, the name and nature of the commission and the location where works are to be carried out.
- 2.4.6 *The Schedule of Services and Fees* is a format for setting out the consultancy services in detail and the agreed basis for calculating fees specifically related to the commission, forming an essential part of an agreement between client and landscape consultant.
- 2.5 Design and Build Projects.** In the Design and Build approach to construction, clients may wish to appoint a landscape consultant to help define requirements, and the contractor may also wish to appoint a landscape consultant to help develop the design. In either situation, the appointment of a landscape consultant can be properly formalised using the Memorandum of Agreement.

### 3. LANDSCAPE CONSULTANT'S FEES AND EXPENSES

- 3.1 Generally.** The landscape consultant's fees are commonly calculated on a time-charge, lump sum or percentage basis, although some work may be dealt with on a retainer or term commission basis. Expenses are generally charged separately in addition to fees.
- 3.2 Time Charged Fee Basis.** This basis is best used where services cannot be related to the construction cost of landscape works. Where the landscape consultant's appointment is for consultancy and advisory work or for preliminary or other additional services to an otherwise "Standard Service," fees should be on a time charged basis. The agreed hour/daily/weekly rates for each grade or individual member of staff, including principals working directly on the commission, should be stated in an agreement. Review dates for these rates should also be stated.
- 3.3 Lump Sum Fee Basis.** Lump sums are best used where the scope of the work can be clearly defined from the outset for any of the services described in Parts 1 and 2 of the Landscape Consultants Appointment, but where there is no firm project cost. It is necessary to define the services required and the project size and complexity, so that if these are varied by more than an agreed amount the lump sum itself may be varied. Alternatively, time charges may be agreed as the basis for payment for making variations.
- 3.4 Percentage Fee Basis.** This is best used for straightforward landscape projects where the "Standard Services" as described in Part 1 of the Landscape Consultant's Appointment Work Stages C to L are to be carried out. Fees can be expressed as a percentage of the total construction costs of a landscape contract or subcontract for which the landscape consultant is responsible. Subcontract costs should include an apportionment of main contractor's attendance, preliminaries, profit allowances and fluctuations. Separate fee calculations are appropriate for each separate landscape commission within a major construction contract. These contracts may be made up of phased development of one site over time or be a number of physically separated development sites in one main commission, which are implemented as separate contracts.
- 3.4.1 The Fee Graph indicates the fee costs that may be incurred by the client for landscape consultants' "Standard Services," expressed as percentages of the contract sum. The four graph curves show the range of percentage fees at differing complexity ratings for works of £22,500 and above. Lower fee percentages may be normally expected with higher contract sums and vice versa. Projects below the £22,500 threshold should be agreed on a time-charge or lump sum fee basis.
- 3.4.2 Landscape work varies in complexity and fees therefore vary to reflect the amount and level of service required to undertake schemes satisfactorily. In the experience of members of The Landscape Institute some projects, such as environmental improvements, involve substantially more input at all stages than other projects. To reflect this difference in complexity, Table 1 shows four different classifications of landscape work.
- 3.4.3 The four curves on the Fee Graph correspond to these four classifications and show the normal percentage fee curve (complexity rating 1), and three other curves (complexity ratings 2, 3, 4), that cater for work that is more demanding of professional time, office resources, skills and experience. The consultant can advise on the complexity rating of projects not listed in Table 1.

3.4.4 A series of worked examples of percentage fee calculations is shown on the final page of this booklet.

**3.5 Retainer Fee Basis.** This basis may be used where the client wants to retain the services of a landscape consultant on an “as needed” basis over the extended period of time, during which all work arising is required to be carried out by the landscape consultant. This basis is also applicable to term commissions.

3.5.1 Retainer or term commission fees may be calculated either as a sum additional to any fees calculated by other methods or as a payment based on an estimated time commitment when the landscape consultants retains resources constantly ready to fulfil the client’s requirements if so requested.

3.5.2 The retainer or term commission fee may, by prior arrangement, be allowed to stand in full, irrespective of the amount of work involved or it may be recalculated on a monthly, quarterly or yearly basis according to the actual commitments.

**3.6 Apportionment of the different methods of fee calculation:**

3.6.1 Part 1 – “Preliminary Services,” Inception and Feasibility, Stages A and B are normally carried out on a time charged basis. Outline and Sketch scheme proposals, Work Stages C and D, may also be carried out on a time charge basis where several scheme options are being considered or complex approvals are being sought from planning authorities. Once the scope of a scheme is agreed and approved, and there is a commitment to construct the project, a percentage fee may be agreed in relation to the construction cost. This should reflect the degree of work already executed under a time charge agreement. Where extensive inspections of site works, or inspections over an extended maintenance period are required, an additional time charge would again usually be appropriate.

3.6.2 Part 1 – “Standard Services,” Stages C to L are normally carried out on a percentage fee basis or lump sum.

3.6.3 Part 2 – “Other Services,” are normally carried out on a time-charged or lump sum basis.

**3.7 Payment of Fees.** Timely settlement of accounts is an essential part of a good working relationship. Clients may prefer to pay fees according to a plan of programmed installments. The certainty of this arrangement allows payments to be budgeted for over a period. Alternatively, fees may be paid at the completion of each work stage. Where this arrangement is agreed, the apportionment in Table 2 is offered as a guide.

**3.8 Expenses and Disbursements.** In addition to appropriate fees the landscape consultant can agree with the client the reimbursement of expenses and disbursements properly incurred in connection with the appointment. If the client requests a budget estimate of expenses, the consultant should clearly state what has been included.

3.8.1 Expenses might include, for example, the cost of printing, reproduction or purchase of documents, drawings, maps, models, photographs, hotel and travelling expenses, the cost of postage, telephone, fax and any other agreed items. The management of

suppliers and the settlement of bills on behalf of a client may be subject to a management charge.

3.8.2 Disbursements such as planning application fees, land survey and soil testing charges, are costs that may be necessarily incurred by the landscape consultant but should be properly borne by the client. Furthermore, where the landscape consultant is required to manage the work of other specialist suppliers or consultants and settle the account of a specialist appointed by agreement with the client, a handling charge may be added. Alternatively, the client may appoint the supplier or specialist separately and settle their accounts directly.

**3.9 Construction Design and Management (CDM) Regulations.** Through the Construction Industry Council Health and Safety Task Force, The Landscape Institute maintains a dialogue with the Health and Safety Executive on the applicability of the regulations to landscape works. Consultant's fees for services under the CDM Regulations should be agreed and expressed separately.

**3.10 Community Group and Grant Aid schemes.** Where materials or labour are offered to a scheme at less than market rates the client and landscape consultant should be aware of any distortion in the basis of a percentage fee based on the contract value.

**3.11 Design Competitions.** This is a way of discovering the range of design options that may be available for major projects. A number of practices may be invited to compete in offering design solutions. Unless entirely open competition is required, it is not advisable to ask too many practices to spend extended amounts of time working speculatively. Drawing up a select list of say 3-5 competitors is an efficient way of developing participants' enthusiasm for producing a satisfactory outcome of quality. Further, clients who agree to cover the costs of each competing practice's output, recognise that this is a fair and reasonable compensation for valuable creative work. The Landscape Institute has an established procedure for initiating and regulating competitions which may be held on a local or national scale and the Director General will be happy to advise.

**3.12 Contingency Fees.** Where all, or part, of a fee is contingent upon the outcome of a decision such as the success of a competitive bid or a grant application, the terms of any fee should be stated particularly clearly.

**TABLE 1**

Classification of Landscape Work according to complexity

WORK TYPE	COMPLEXITY RATING			
	1	2	3	4
<i>Planting Design and Implementation Services for -</i>				
Golf Courses and Rural Sports Projects	3			
Rural Roads and Parking	3			
Country Parks and Estates	3			
Rural Recreational Areas	3			
Afforestation/Shelter Belt Planting/Hedgerow renewal	3			
Rural Amenity Schemes	3			
<i>Comprehensive Design and Implementation Services for -</i>				
Agricultural Improvement and Estate Enhancements		3		
Coastal Defence and River Catchment Schemes		3		
Camping and Caravan Sites, Tourist Facilities		3		
Cemeteries, Crematoria and Gardens of Remembrance		3		
Industrial, Commercial & Research & Development Sites		3		
Roads and Roadside Facilities and Parking Schemes		3		
Coastal Marinas and Water Recreation and Sports Schemes		3		
Inland Marinas, Canal, River and Lakeside Schemes		3		
Rural Recreational and Pursuits Centres		3		
Infrastructure, Parking & Access for Major Projects			3	
College & University Campuses			3	
Defence Establishments			3	
Hospital Grounds			3	
New Housing			3	
School Grounds and Playing Fields			3	
Sports Stadia & Multi Sports Facilities			3	
Golf Courses & Recreational Properties			3	
Urban Offices and Commercial Properties			3	
Public Parks, Exhibition Sites and Urban Recreation Areas			3	
Mineral Workings and Landfill Sites			3	
Reclamation of Contaminated or Derelict Land				3
Urban Rehabilitation, Pedestrianisation, Renewal				3
Urban Environmental Improvements				3
Garden Design Historic, Restoration or Conservation				3

1. Work in Column 1 is classified as normal, whereas columns 2, 3 and 4 list work of increasing complexity. These classifications are shown on the graph.
2. Where the landscape work is not listed above but falls within or between complexity ratings, the client and landscape consultant may decide to interpolate an appropriate complexity rating and graph curve.
3. Environmental Assessments, Landscape Appraisals, Siting Studies and Development, Conservation and other Environmental Strategy Planning Studies are normally remunerated on a time or lump sum basis.

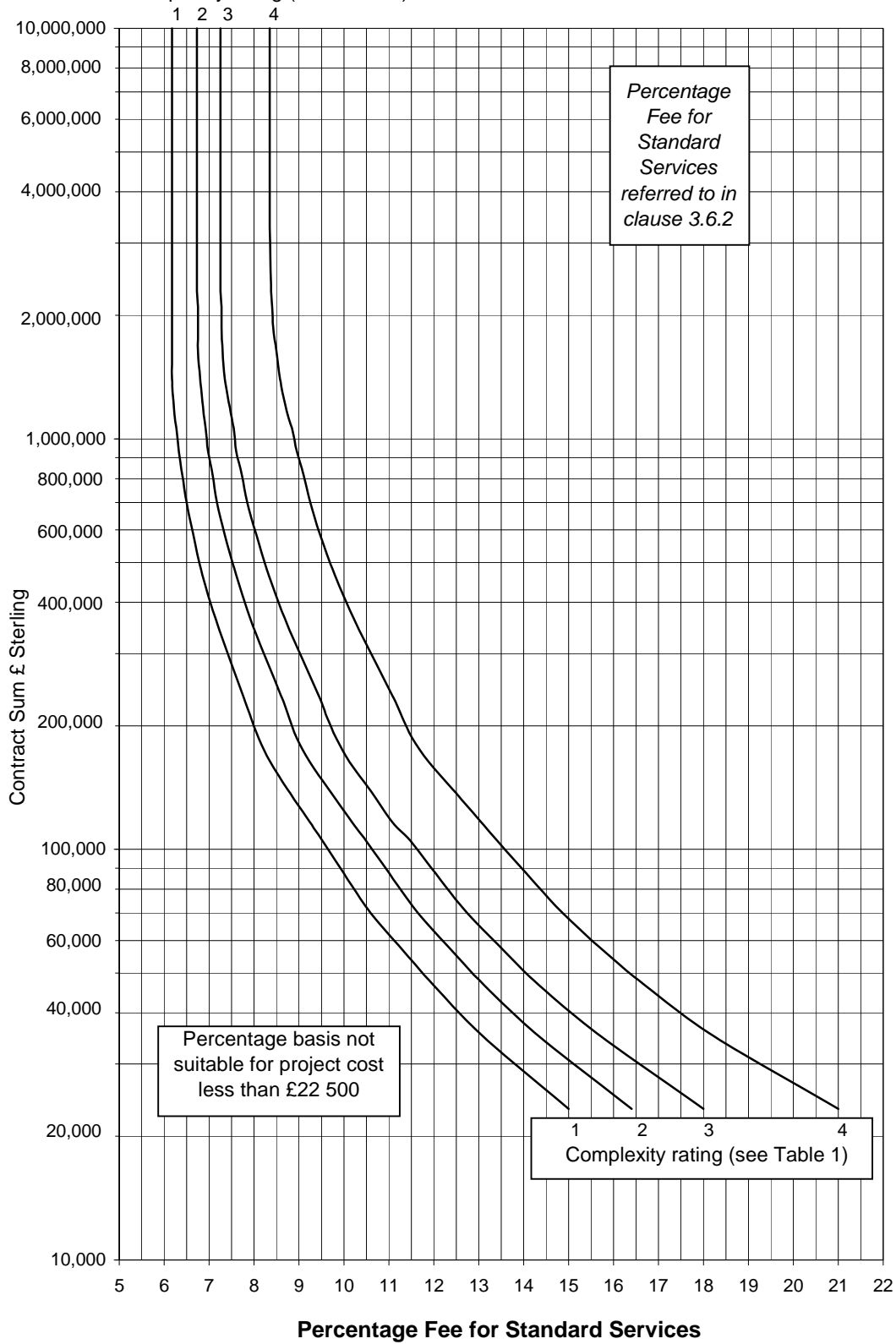
**TABLE 2**

Guide to Stage Payments of Fees, Relevant Fee Basis and Proportion of Fee Applicable to Lump Sum and Percentage Fee Basis. Details of Preliminary, Standard and Other Services are set out in detail in the Landscape Consultant's Appointment.

WORK STAGE	RELEVANT FEE BASIS			PROPORTION OF FEE	
	Time	Lump	%age	Proportion of fee	Total
<b>Preliminary Services</b>					
A Inception	3	3	N/A	N/A	N/A
B Feasibility	3	3	N/A	N/A	N/A
<b>Standard Services</b>					
C Outline Proposals	3	3	3	15%	15%
D Sketch Scheme Proposals	3	3	3	15%	30%
E Detailed Proposals	3	3	3	15%	45%
FG Production Information	3	3	3	20%	65%
HJ Tender Action & Contract Preparation	3	3	3	5%	70%
K Operations on Site				25%	95%
L Completion	3	3	3	5%	100%
	3	3	3		
<b>Other Services</b>	3	3	<b>N/A</b>		
<b>Timing of Fee Payments</b>					
<p>Percentage fees are normally paid at the end of each work stage. Time based fees are normally paid at monthly intervals. Lump sum fees are normally paid at intervals by agreement. Retainer or term commission fees are normally paid in advance, for predetermined periods of service.</p>					

## PERCENTAGE FEE GRAPH FOR STANDARD SERVICES - APRIL 2002

Complexity rating (see Table 1)



## WORKED EXAMPLES OF PERCENTAGE FEE CALCULATIONS

### WORKED EXAMPLE 1

Project Type                    Caravan Site  
Services Required            To Detailed Proposals – Work Stages C to E  
Budget                            £120,000

- Step 1** Decide on Work Type and therefore Complexity Rating                    - Complexity Rating 2  
**Step 2** Decide on Services required and Proportion of Fee                    - To Detailed Proposals, 45%  
**Step 3** Read off Graph, Complexity Rating 2, the % fee of £120,000                    - Graph Fee 9.9%  
**Step 4** Multiply the Proportion of Fee (45%) by the Graph Fee (9.9%)- Adjusted Fee – 4.46%  
**Step 5** Calculate the Guide Fee (4.46% of £120,000)                    - Guide Fee - £5,352  
**Step 6** Agree fee with Client, complete Memorandum of Agreement & Schedule of Services & Fees

### WORKED EXAMPLE 2

Project Type                    New Housing  
Services Required            Full Standard Services – Work Stages C to L  
Budget                            £350,000

- Step 1** Decide on Work Type and therefore Complexity Rating                    - Complexity Rating 3  
**Step 2** Decide on Services required and Proportion of Fee                    - To Completion, 100%  
**Step 3** Read off Graph, Complexity Rating 3 the % fee of £350,000                    -Graph Fee 8.8%  
**Step 4** Multiply the Proportion of Fee (100%) by the Graph Fee (8.8%)- Adjusted Fee – 8.8%  
**Step 5** Calculate the Guide Fee (8.8% of £350,000)                    - Guide Fee - £30,800  
**Step 6** Agree fee with Client, complete Memorandum of Agreement & Schedule of Services & Fees

### WORKED EXAMPLE 3

Project Type                    Urban Environmental Improvements  
Services Required            To Production Information – Work Stages C to G  
Budget                            £1,250,000

- Step 1** Decide on Work Type and therefore Complexity Rating                    - Complexity Rating 4  
**Step 2** Decide on Services required and Proportion of Fee                    - To Production Information, 65%  
**Step 3** Read off Graph, Complexity Rating 4 the % fee of £1,250,000                    - Graph Fee 8.6%  
**Step 4** Multiply the Proportion of Fee (65%) by the Graph Fee (8.6%)- Adjusted Fee – 5.59%  
**Step 5** Calculate the Guide Fee (5.59% of £1,250,000)                    - Guide Fee - £69,875  
**Step 6** Agree fee with Client, complete Memorandum of Agreement & Schedule of Services & Fees

## APPENDIX

### FEE GUIDANCE FOR PLANNING SUPERVISORS

The Association of Planning Supervisors has published a leaflet for clients. 'Ensuring Adequate Resources – Guidance for Clients'\* discusses the services that a Planning Supervisor will provide for the client, and the resource implications of those services. The leaflet stresses that the client has a legal duty under the CDM Regulations to be reasonably satisfied that the appointed Planning Supervisor has "allocated or, as appropriate, will allocate adequate resources to enable him to perform the functions of planning supervisor under these Regulations.."

Guidance on the Planning Supervisor's fee will be of interest to landscape architects, whether commissioning a project team or acting as Planning Supervisor themselves.

The APS has examined the fees from more than 10,000 projects of different types, sizes and complexity to compile indicators which clients can refer to. Complexity in this case refers to health and safety issues such as the number of personnel on site, the number of separate contractors and operations on site, and the nature and hazards associated with the work type. The fee indicator in relation to project value and complexity is presented on graphs, as a recommended percentage of the project value.

As an indication, the following points have been taken from those graphs:

	Fee percentage		
Project value	Low complexity	Medium complexity	High complexity
£35,000	2.0	3.6	5.25
£250,000	0.8	1.3	1.8
£2,500,000	0.32	0.64	0.96

The full guide may be ordered in packs of 10 from the APS. Contact details and publication prices are at [www.aps.org.uk](http://www.aps.org.uk) or 16 Rutland Square, Edinburgh EH1 2BB.

\*Published 17 April 2003 by the Association of Planning Supervisors.