

Job Description

POST TITLE	Property & Commercial Lawyer	POST NO:	GL3009
SERVICE UNIT	Legal and Democratic Services	GRADE:	13
JOB EVALUATION	A2006	JOB FAMILY	If applicable
RESPONSIBLE TO:	Head of Legal & Democratic Services		
RESPONSIBLE FOR:	Senior Legal Officer (Commercial), Legal Assistant and Land Charges Manager		
LOCATION	Town Hall	STATUS	Line Manager

Job Purpose

To provide a proactive, high quality legal service to all clients (internal and external) in an efficient and timely manner in dealing with a wide range of property related transactions and commercial contracts.

Main Duties and Responsibilities:

1. To undertake a wide range of legal work including work relating to commercial and non commercial property (leasehold and freehold), regeneration projects, planning, housing, contracts and any other work related to a district authority.
2. To carry out all associated work, including researching, analysing and formulating advice on the law, policy, guidance, procedure and governance, drafting documentation, conducting negotiations and concluding transactions.
3. To handle complex property transactions.
4. To support the Council's Empty Homes Programme in relation to the making of Compulsory Purchase Orders and other statutory orders.
5. To draft section 106 Agreements under the Town and Country Planning Act 1990 and other statutory agreements and/or notices.
6. To provide legal advice and support on the procedure for and preparation of procurement exercises including tender documentation and contracts, ensuring compliance with the Council's constitution, standing orders and financial regulations and the public contracts regulations.

7. To advise and assist with the interpretation of contracts and deeds, contract disputes and arbitration, the termination of contracts, novation agreements, bonds, charges and securitisation as required.
8. To draft contracts based on the Council's standard conditions or other industry standard documents.
9. To draft and settle/ amend a wide range of legal and other documents.
10. To review and interpret new legislation, case law, policy, guidance, procedure etc and to advise Clients of the anticipated impact on Council services/ the Council as a whole.
11. To attend various committee meetings including Development Control Committee as a legal adviser.
12. To handle financial aspects of transactions.
13. To identify the needs of client departments and communicate in an appropriate way to ensure that progress is made in achieving the objectives of the Council or any other scheme or matter in which the postholder is involved..
14. To be a representative of Legal Services at Working Groups connected with areas of council work which require an input from Legal Services in relation to the range of work carried out by the postholder.
15. To keep up-to-date with developments in the law relevant to the post.
16. To attend training identified as necessary to undertake current and future job requirements.
17. To undertake such other duties and responsibilities as are commensurate with the salary grading of the post.
18. To supervise and co- ordinate the work of the Senior Legal Officer (Commercial) and Legal Assistant.
19. To supervise the Local Land Charges Manager.

Health and Safety

Managers are required to provide a working environment which is safe and without risks to the health, safety and welfare of employees, and others who may be affected, in accordance with the Health and Safety at Work Act, associated regulations and the Corporate Health and Safety Policy.

Politically Restricted Posts

This is a Politically Restricted Post within the meaning of the Local Government and Housing Act 1989.

FOOTNOTE

This Job Description summarises the major responsibilities of the post. It is not intended to exclude other activities, nor future changes from the post holder's responsibilities.

Equality Act 2010

If you are a disabled applicant or an employee who has become disabled and this will affect your ability to do any of the above duties the Council will consider making some changes it thinks are reasonable.

Examples of changes may include providing equipment, making alterations to the workplace or changing some parts of the Job Description.

Prepared by: C Waudby

Date: May 2021

Postholder: Head of Legal and Democratic Services

Date of issue:

Person Specification

POST : Property & Commercial Lawyer	GRADE: 13
DIRECTORATE : Legal and Democratic Services	POST NO: GL3009

Selection Criteria	Essential/ Desirable E/D	Method of Assessment Application/Interview/Test Presentation/Production of Certificates A/I/T/P/C
QUALIFICATIONS		
1. Qualified Solicitor with Practising Certificate, Fellow of the Chartered Institute of Legal Executives or Licensed Conveyancer.	E	A/C
2. ILM Introductory Certificate in Supervisory Management or equivalent	D	A/C
EXPERIENCE		
3. Significant recent experience of conveyancing and property related transactions (as detailed in the job description)	E	A/I/T
4. Experience of contract law and procurement	E	A/I/T
5. Experience of Compulsory Purchase law and practice.	D	A/I
6. Experience of managing staff	D	A/I
7. Experience of using electronic case management and time recording software and electronic research tools	D	A/I
8. Experience of advising at Committee	D	A/I
SKILLS AND COMPETENCIES		
9. Effective written and oral communication skills	E	A/I
10. Awareness of political dimension and the political objectives of the Council.	E	A/I

Selection Criteria	Essential/ Desirable E/D	Method of Assessment Application/Interview/Test Presentation/Production of Certificates A/I/T/P/C
11. To be self-disciplined and organised.	E	A/I
12. Ability to participate in multi-disciplinary groups and pro-actively co-ordinate work in the context of property transactions.	E	A/I
13. Ability to draft a wide range of documents, including property related documents.	E	A/I/T
14. Ability to negotiate successfully on behalf of the Council and client services and willingness to obtain the maximum advantages for the Council.	E	A/I
15. Ability to work without supervision and effectively manage a diverse workload.	E	A/I
16. Ability to advise elected members at Committee meetings.	E	A/I
17. A demonstrable commitment to keeping up to date with property law and to continue personal development relevant to the post.	E	A/I
18. Ability to motive and co- ordinate the work of the team to achieve targets.	E	A/I
19. Proficient in Microsoft applications eg word, outlook, excel, etc.	E	A/I
KNOWLEDGE		
20. Detailed knowledge of the law, theory and practice of Land Law and Property	E	A/I/T
21. Knowledge of the law, theory and practice of Contract Law and Procurement	E	A/I/T
22. Knowledge of the law, theory and practice of Compulsory Purchase.	D	A/I/T
The Burnley Way		
<p>Burnley employees are expected to be role models the organisation's TEAM values and behaviours which are: Together, Enterprising, Ambitious and Meeting Customer Needs. Our organisational leaders and managers are expected to strive to create a culture of openness and trust, where people are led and managed in line with TEAM values acting as role models for working collaboratively to drive efficiency and service improvements in order to deliver the Council's vision and objectives.</p> <p>Further details are contained in the Behaviour Framework</p>		