

Principal Solicitor (Property)



Job Description

1. POST DETAILS

Business Centre:	Law & Governance
Division:	Legal Services
Post Number:	TBC
Working Hours:	32 pw
Grade:	SMA plus MFS of £5,000 pa (to be reviewed before end of December 2024)
Work Base:	Civic Offices
Prepared/Agreed by:	PI – reviewed by MAL
Date:	10.2.22

2. ORGANISATIONAL RELATIONSHIPS

Reports to:	Deputy Corporate Head of Law and Governance
Deputising Responsibility:	None
Directly Supervises:	Legal Support Officer (Property)
Indirectly Supervises:	Legal Officer (Property), and any other Officer or Support Officer when they undertake work on behalf of the post holder

3. JOB PURPOSE (What is the job trying to do?)

	Job Purpose
3.1	<p>To primarily assist the Legal Services Section deliver the provision of an efficient and comprehensive legal service to the Council (and / or any company controlled by the Council, and any joint venture partnership to which the Council is party to) by undertaking primary responsibility for such unsupervised matters as may be assigned to the post holder in one or more of the following areas but not limited to:</p> <ul style="list-style-type: none">• Regeneration & Property (Commercial & Residential):<ul style="list-style-type: none">○ Complex property transactions,○ Complex commercial property matters, and○ General Property (both commercial and residential) matters.
3.2	<p>To assist the Corporate Head or Deputy Corporate Head of Law and Governance in providing an efficient and comprehensive legal service to the Council by undertaking primary responsibility for the following unsupervised matters as may be assigned to the post holder, including but not limited to:</p> <ul style="list-style-type: none">• Property related contracts, commercial, governance, litigation & planning matters, and• Social Housing related matters
3.3	<p>To provide proactive, clear and concise legal advice and assistance to clients, in particular on all aspects of property law and land transactions including compliance with the Council's Constitution.</p>
3.4	<p>To ensure high quality and seamless service delivery by taking responsibility for matters outside your normal area of work when required and to contribute as a team member to projects led by others</p>
3.5	<p>To supervise Legal Officers/Support Officers and / or apprentices/trainees as directed.</p>

4. OBJECTIVES (What is the purpose of the job?)

	Job objectives
4.1	<p>Provide specialist legal advice and assistance on all issues arising within the post holder's area of responsibility</p>
4.2	<p>Where appropriate, instruct external law firms and Counsel to act on behalf of the Council, acting as the single point of contact and ensuring that the Council gets value for money.</p>

4.3	Approve or amend legal aspects of reports to be submitted to members requiring decisions and attend committee and other meetings to give legal advice as necessary.
4.4	Provide proactive legal advice and assistance to meet the needs of members and officers, in language accessible to a range of audiences, offer risk-assessed solutions and assist with client liaison.
4.5	Attend and provide legal advice and support to any of the Council's Committees, Sub-Committees and/or its Member Working Groups.
4.6	Actively contribute to developing policies and good practice.
4.7	Offer support with strategic and corporate legal work, and in particular support colleagues and external lawyers instructed on any property related litigation.
4.8	Keep up to date with changes in the law and other developments in the area of work allocated, to disseminate information on changes and advise on any action to be taken as a result.
4.9	Provide training to members, clients or members of the team
4.10	Act in such a way that at all times safeguards the health and well-being of children and vulnerable adults.
4.10	Carry out duties with due regard to the Council's Customer Care, Equal Opportunities, Information Governance, Data Protection and Health and Safety policies and procedures.
4.11	Be responsible for the oversight of receiving and banking monies received from third parties for property transactions and agreements.
4.12	Undertake any other duties commensurate with the general level of responsibility of this post.

5. MAIN DUTIES OF THE POST

	Main duties of the post	Frequency (Daily, Weekly, Monthly, Annually, etc.)
5.1	<p>To assist with, provide advice on and undertake a variety of conveyancing and property work (both Commercial and Residential) on the Council's behalf, including some more complex work, particularly (but not limited to):-</p> <ul style="list-style-type: none"> • the provision of legal advice on all aspects of property law, • the acquisition and disposal of land, • the grant, taking and modification of rights over land, • the grant, taking and modification of business/commercial and residential leases, easements, licences and wayleaves • boundaries, easements, licences and restrictive covenant matters, • landlord and tenant matters, • rent reviews, • development schemes • housing enabling work, • drainage and highway agreements, • development agreements, overage, claw-back option agreement and pre-emption provisions, • the use of compulsory acquisition powers, • the drafting and completion of contracts and other types of property agreements • the drafting, processing, completion, service and issue of notices, • Nomination Agreements, • Administration of estates of deceased persons where the Council is fulfilling its statutory duty, • Assets of Community Value nominations, and • Right to Buy and Shared Ownership 	Daily
5.2	Have care and control of the Council's property cases in the High Court, County Court, Crown Court, Magistrates' Court and before other Tribunals	As required
5.3	Drafting documents associated with matters being dealt with by the post holder including pleadings and statutory notices.	Daily/Weekly
5.4	Advocacy in proceedings before the Courts or at Inquiries or other Tribunals.	As required

5.5	Instruction of Counsel in respect of cases before the Courts, at Inquiries or other Tribunals and when necessary in respect of matters arising from the post holder's duties.	As required
5.6	Instruction of external law firms in respect of cases before the Courts, at Inquiries or other Tribunals and when necessary in respect of matters arising from the post holder's duties.	As required
5.7	Providing advice orally and in writing in respect of matters allocated to the post holder.	Daily
5.8	Undertake research related to matters allocated to the post holder.	Daily/Weekly
5.9	Care and conduct of matters related to the exercise of the Council's property functions relating to Planning and Equality matters as well as matters relating to Housing Nomination Agreements and contracts.	As required
5.10	Providing general corporate legal advice to Members, Chief Officers and their services on a wide range of complex legal and local government matters.	Daily
5.11	Attendance at meetings of officers and partners/stakeholder organisations as legal adviser.	As required
5.12	Preparation and/or checking of reports to Committees and other meetings of the Council.	Weekly/Monthly
5.13	Attendance at Committees and other meetings of the Council as required as legal advisor, including evening meetings.	Weekly/Monthly
5.14	Advising Members of the law relating to the Council's activities and practice and procedure in addition to advice in respect of the Council's interests and dealing with general enquiries from Members and other statutory bodies, organisations and the public.	Daily/Weekly
5.15	To share in providing general cover in the activities of the Legal Section.	As required
5.16	To undertake and maintain a record of all training and development undertaken in accordance with SRA or alternative professional body guidance.	As required
5.17	Any other task which is required and is appropriate to the training and experience of the post holder.	As required

General

The above is a record of the main duties and responsibilities of this post at a given date. The job may naturally change to meet the requirements of the service. If the changes are more significant your manager will discuss this with you.

DBS Status	Standard
Politically Restricted	Yes

Person Specification

Please indicate whether the criteria is assessed again the application form or interview by using a ✓ in the columns to the right.

	Method of Assessment	
	App Form	Interview
<u>Essential Qualifications</u>		
Qualified Solicitor, Barrister or Fellow of the Institute of Legal Executives (Above will be verified with Law Society, Bar Council or IILEX)	✓	
<u>Desirable Qualifications</u>		
Current Practicing Certificate	✓	✓
<u>Essential Working Experience</u>		
Thorough knowledge of one or more of the following areas:		
Regeneration & Property Law	✓	✓
Commercial and Residential Landlord and Tenant Law	✓	✓
Advising Committees experience	✓	✓
<u>Desirable Working Experience</u>		
Local Government experience	✓	✓
Planning Law experience with emphasis on regeneration and social housing matters	✓	✓
Equalities legislation experience	✓	✓
Understanding of data protection	✓	✓

<u>Essential Skills/Attributes</u>		
Good interpersonal skills	✓	✓
Good report writing skills	✓	✓
Basic computer literacy	✓	✓
<u>Desirable Skills/Attributes</u>		
Experience of case management software & running a caseload electronically	✓	✓
<u>Essential Personal Qualities</u>		
Team Worker		✓
Ability to work under pressure	✓	✓
Ability to work with minimum supervision	✓	✓
Ability to deal with difficult situations	✓	✓
Clear thinker		✓
Ability to work with a broad range of people	✓	✓
<u>Desirable Personal Qualities</u>		
Affable		✓
Ability to prepare cases for hearings	✓	✓
Ability to provide advice and present arguments in a confident, articulate and persuasive manner	✓	✓
<u>Other Requirements</u>		
None		