

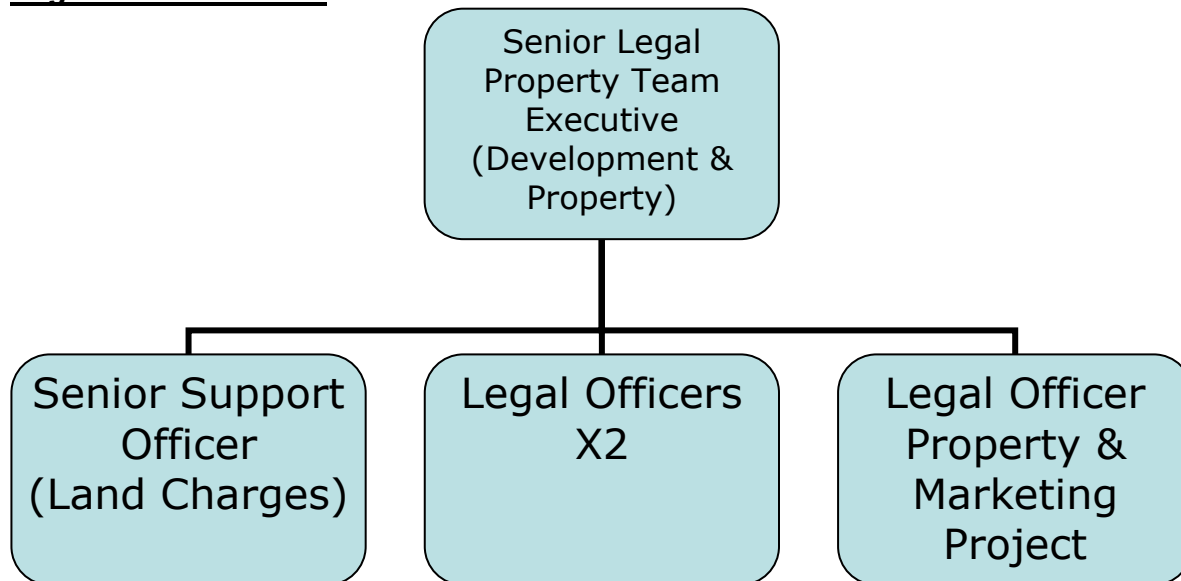
ROCHDALE BOROUGH COUNCIL

JOB DESCRIPTION

Service:	RESOURCES
Section:	Legal Services
Location:	Number One Riverside, Smith Street, Rochdale
Job Title:	Legal Officer
Post Number:	The post holder will be employed in the Development and Property Team
Grade:	Grade 7
Accountable to:	Senior Legal Property Team Executive/Team Leader
Accountable for:	N/A
Hours of Duty:	37 hours per week subject to the Council's Scheme of Flexible Working hours or the Service's Work-Life Balance Scheme. If additional evening work is necessary, mainly related to attendance at Committees or late meetings for which time in lieu will be granted.
Any Special Conditions of Service:	The Authority operates a Smoke Free Policy for all its employees and applies to any building and associated grounds within in the immediate vicinity of the building which is wholly owned, leased or operated and occupied by RBC. Casual Car User This Post is not Politically Restricted in accordance with the current regulations.

The Council is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects staff to share this commitment.

Organisational Chart



Purpose and Objectives of the Job

To assist the Legal Service in carrying out its duties and to achieve its objectives.

Control of Resources

Financial

- To negotiate settlements and make any payments required.
- To negotiate and arrange payment of Counsel's fees on behalf of the Authority.
- To agree, if necessary by assessment, and arrange payment of any costs awarded against the Council.
- To pay Court, witness, experts and other fees.
- To record time for the purposes of charging and trading accounts.
- To deal with the receipt of and making of payments.

Equipment/Materials

Responsible only for that equipment used by the post holder, although may recommend the purchase of items, if necessary.

Health/Safety/Welfare

Responsibility for the safety and welfare of self and colleagues in accordance with the Health and Safety policies of the Council.

Equality and Diversity

To work in accordance with the Authority's Policy relating to the promotion of Equality and Diversity.

Training and Development

The post holder will be responsible for assisting in the identification and undertaking of his/her own training and development requirements in accordance with the Council's Performance Management Framework.

Relationships (Internal and External)

Internal:-

- All staff within Legal Services
- Officers of other Council Service Areas
- Members of the Council

External:-

- Solicitors in Private Practice and other external advisers
- Relevant external organisations
- Court Officers
- Counsel/Counsel's Clerks
- Officers of Government Departments and Agencies
- Other Local Authorities and public bodies
- Members of Parliament
- Members of the Public
- Lands Tribunal, Leasehold Valuation Tribunal
- Land Registry

Responsibilities

The post holder must -

1. Perform his/her duties in accordance with all Rochdale Council's Policies, including Equality and Diversity Policy.
2. Ensure that Rochdale Council's commitment to public service orientation and care of our customers is provided.
3. Be responsible for the legal work they undertake

Values and Behaviours

Approach the job at all times using the values set out below:

- Proud
- Passionate
- Pioneering and open

Be aware of and apply these behaviours at all times.

Principal Duties (Development & Property)

The duties will be drawn from the following depending on experience and ability:

1. Work involving acquisitions of the freehold, leasehold, sub-leasehold and/or possessory titles in land and property, approval of the legal contracts, investigation of registered and unregistered titles and reporting on all matters arising and then advising on all implications, restrictions, complex issues and matters arising including solutions to deal with potential issues prior to

exchange of contract, raising all appropriate enquiries and searches prior to exchanging contracts, exchanging contracts, drafting conveyances, assignments, leases, sub leases, transfers and any other legal document required to ensure that the negotiated legal estate is being acquired, raising all appropriate requisitions and searches prior to legal completion, requesting all appropriate legal undertakings and dealing with the subsequent discharge and cancellation as appropriate, formal completion, post-completion formalities including dealing with HM Customs & Revenue regarding Stamp Duty Land Tax and registration of the Council's title at the Land Registry.

2. Work involving disposals of the freehold, leasehold, sub-leasehold and/or possessory titles in land and property, dealing with title check requests in respect of a disposal to advise as to whether or not the title is sufficient for the disposal envisaged, advising on all implications, restrictions, complex issues and matters arising from that title check which would prevent the disposal and offer effective solutions to enable the disposal to proceed, drafting the legal contracts including all relevant conditions, preparing evidence of the Council's title and all associated documentation, dealing with any title problems and advising on and taking such necessary action as is required to perfect the titles, dealing with the responses to all pre-contract enquiries and searches raised by the Buyer's Solicitors, exchange of contract, approval of conveyances, assignments, leases, sub leases, transfers and any other legal document drafted and submitted for approval to ensure that the negotiated legal estate is being disposed of, dealing with replies to requisitions on title and all searches raised by the Buyer's Solicitors, formal completion, providing any legal undertaking and ensuring it is discharged and cancelled and post-completion formalities.
3. Work in the drafting and/or approving from receipt of instructions to completion of leases, building agreements, development agreements, overage agreements, licences, tenancy agreements, tenancies at will, wayleave agreements, other agreements, easements, rent reviews, deeds of surrender, variation, rectification, release, covenant and other miscellaneous transactions, enforced sales, sale of repossessed property, statutory vestings and drafting of all deeds and documents as appropriate in relation to land and property and any nature of transaction.
4. Work involved in the sale of Council houses, flats and maisonettes and drafting the appropriate deed, dealing with the removal of the discount protective entry on the Charges Registers of the property title and issuing Certificates of Exemption if considered requisite.
5. Work involving mortgages to purchase, improvement loans, transfer of mortgages, redemption of mortgages, discharge of mortgages at the Land Registry and other miscellaneous transactions relating to mortgages. Work includes dealing with all post-completion problems which may arise including advising and finding effective solutions.
6. Work involving ground rent title issues, any other title issue, claims of possessory titles or prescribed rights both by and against the Council and any other land and property issue of whatever nature.
7. Dealing with notices and orders under various legislation, such as tree preservation orders, footpath orders and traffic regulation orders, including reporting to Committee and attendance at Public Inquiries.
8. Preparation of contracts, agreements and deeds, including those relating to building works, the adoption of highways, planning and community care.
9. Making of Compulsory Purchase Orders, arranging Public Inquiries and assisting in the preparation of the Council's case, vesting of land in the Council and dealing with claims for compensation and applications to the Lands Tribunal.
10. Work involving Lands Tribunal cases and Leasehold Valuation Tribunal cases.
11. Work involved in perfecting the Council's title to land and property as and whenever necessary.

12. Work involved in Building Schools for the Future, Housing Market Regeneration and/or any project/scheme from time to time requiring land and property advice
13. Work involving all land and property matters/transactions of both a residential and/or commercial nature and at the appropriate level.
14. Preparing briefs for Counsel to advise upon, attend Court Hearings and Public Inquiries.
15. Assisting Counsel at Hearings and Public Inquiries
16. Providing assistance to the Solicitors in Legal Services as required
17. To develop or assist in the development of Council policies and procedures.
18. To keep up to date with relevant law and policy and advise Members and Officers accordingly.
19. Such other tasks as required by the Senior Legal Property Team Executive or the Head of Legal Services.

Secondary Duties

1. To participate in Council programmes of in-service training as a trainee and when required as a trainer facilitator.
2. To undertake such other duties and responsibilities of an equivalent nature as may be determined from time to time by the Service Head (or nominated representative) in consultation with the postholder (and if he/she so wishes, with his/her Trade Union representative).

Job Description prepared by: _____ Date: _____

Agreed by Post holder _____ Date _____

Supervisor _____ Date _____

Service Director _____ Date _____

**Rochdale Metropolitan Borough Council
Person Specification**

Service :	Resources Directorate (Legal & Governance)	Post:	Legal Officer (Property)
Section :	Legal Services	Post Number :	
Job Ref:		Grade:	Grade 7

Note to Applicants:

The *Essential Criteria* are the qualifications, experience, skills or knowledge you **MUST SHOW YOU HAVE** to be considered for the job.

The *How Identified* column shows how the Council will obtain the necessary information about you.

If the *How Identified* column says the **Application Form** next to an *Essential Criteria* you **MUST** include in your application enough information to show **how** you meet this criteria. You should include examples from your paid or voluntary work.

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Criteria	Essential (E) or Desirable (D)	How Identified: AF Application Form I Interview A Assessment
Qualifications and Experience		
1 CILEX membership or Law degree or non-law degree and post-graduate law qualification and experience of working in a legal environment or substantial relevant experience in a legal environment.	E	AF/I and production of certificate at interview
2. Substantial experience of handling a varied property based case load with minimal supervision	E	AF/I
3. Provide details of your experience of your: a) understanding of land ownership. b) undertaking a wide variety of land and property transactions c) ability to draft a wide variety of property related documents. d) carrying out Title investigations and producing comprehensive Reports on Title e) identifying and establishing key land issues relating to Titles and how to resolve such issues f) knowledge and understanding of relevant legislation	E	AF/I
(a) Special Working Conditions		
1 Requirement to travel on occasion to visit sites or attend meetings	E	AF/I
2 Requirement to attend meetings out of normal office hours where necessary	E	AF
(c) Skills and Knowledge		
1 Tell us about your ability to communicate effectively both orally and in writing.	E	AF/I

2	Please give details of your understanding of the principles of working as a team and to demonstrate the ability to work effectively as part of a Team.	E	AF/I
3	Please provide details of your professional skills - drafting, research and advising.	E	AF/I
4	Please provide details of your negotiating and influencing skills.	E	AF/I
5	Please give details of your ability to work to consistently tight deadlines and to prioritise work under pressure.	E	AF/I
6	Please give details of your organisational and time management skills.	E	AF/I
7	Please provide details of your ability to work with minimal supervision	E	AF/I
8	Please give details of your use of ICT (preferably Word, Outlook, Excel and legal research websites).	E	AF/I
9	Tell us about your ability to assist on complex legal transactions	E	AF/I
10	Previous Local Government experience in legal office.	D	AF
11	Knowledge and understanding of Local Government governance and decision making procedures	D	AF
12	Experience of operating a legal case management system (Visualfiles or similar)	D	AF
13	Experience of working to Legal Practice Management Standards	D	AF
14	Ability to learn new areas of law.	D	AF
(d) Behaviours and Values			
1	Approach the job at all times using the behaviours set out below: • Proud • Passionate • Pioneering and open Please confirm you are aware of and will apply these behaviours at all times.	E	AF/I

