

**JOB DESCRIPTION**

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| **Post Title**: Property Lawyer (Land and Property Disposal Programme) | | | |
| **Department**: Corporate Core | | **Post No**: n/a | |
| **Division/Section**: Legal Services - Environment | | **Post Grade**: Grade 13 | |
| **Location**: Town Hall, Bury Knowsley Street, Bury | | **Post Hours**: 37 hours per week Monday to Friday (Flexitime scheme in operation)  2-year fixed-term contract with review at the end of the period | |
| **Special Conditions of Service**:   Attend at meetings as required including occasional evening meetings. | | | |
| **Purpose and Objectives of Post**:  Ensuring the effective execution of legal work arising out of the Council’s Accelerated Land and Property Disposals Programme, including Departments of the Council, its related service providers or its Committees with particular emphasis on land and property disposal, and development issues. | | | |
| **Accountable to**: Director Law and Democratic Services | | | |
| **Immediately Responsible to**: Team Leader (Environment) | | | |
| **Immediately Responsible for**: N/A | | | |
| **Relationships: (Internal and External)**  **Internal External**  Elected Members Court Officials Chief Officers/Senior Management Counsel Officers throughout the Authority Solicitors in Private Practice Other related Council service providers  e.g. ALMO’s, LATCO’s etc Government Departments  Members of Parliament  Consultants  Outside agencies and professional bodies  Members of the public  The Chief Land Registrar  Land Tribunal Registrar  Partnership Representatives  Officers of other Local Authorities | | | |
| **Control of Resources**:  **Equipment:** Responsible for ensuring the security of all files, equipment, computer data and software.  **Health and Safety:** Ensure compliance with Health and Safety guidelines and instructions set out in the Health and Safety Policy.  **Financial:** Receipt and payment of monies associated with land and development transactions, up to circa £10,000,000. | | | |
| **Duties/Responsibilities**: | | | |
| 1. Undertake and assist with the Council’s Accelerated Land and Property Disposals Programme and other related Council service providers’ Land and Development and Highways projects, including when required, those involving substantial financial implications for the Council and others, by amongst other things:    1. undertaking risk analysis and notifying the Team Leader (Land and Development) of risks identified    2. drafting and negotiating legal agreements    3. advising on governance issues and powers of disposal    4. ensuring the receipt or payment of monies associated with land and development transactions    5. advising on construction law, drafting building contracts and advising generally (e.g. collateral warranties)    6. advising on highways law, planning agreements and planning schemes    7. advising on procurement issues in relation to land and development work    8. undertaking and drafting Development Agreements for more complex projects as required. | | | |
| 1. Advise prior to receipt of, and act upon instructions from, Council departments and other related Council service providers, in respect of land and development transactions, highways work, service agreements, self-management agreements and other areas of work arising from management of their property portfolios and liaise with appropriate agencies to advise on the most appropriate method of achieving objectives. | | | |
| 1. Provide oral and written advice to Council departments and other Council service providers, in relation to procedural issues, policy matters, individual cases and statutory duties/powers arising out of land and development matters encompassing:-    1. Consideration of relevant law    2. Consideration of available evidence and obtaining expert opinion where appropriate    3. Consideration of possible courses of action    4. Drafting of documents/notices required by law and arranging for service of same in accordance with Court Rules and other relevant rules    5. File evidence in accordance with Court Rules and other relevant rules    6. Where appropriate brief Counsel | | | |
| * + 1. Ensure accurate, timely and pertinent advice is given in response to enquiries/queries from Elected Members/Members of Parliament.     2. Assist with the timely completion each year of those transactions designated to contribute to Council’s Capital Programme and attend Capital Programme Monitoring group when required. | | | |
| * + 1. Assist the Team Leader (Environment) when required in drafting and revising precedent documents/policy documents/guidelines in respect of practices or statutory duties. | | | |
| * + 1. Assist the Team Leader (Environment) in advising Council departments and other Council Service Providers of changes in legislation, recent Government guidelines and significant case law decisions which may affect service provision. | | | |
| * + 1. Where required, attend Court to ensure Departments are kept advised as to progress of land and development issues and understand the effects of Court Orders made. | | | |
| * + 1. To attend professional education training courses as required. | | | |
| * + 1. To comply with quality systems adopted by Legal Services Division. | | | |
| * + 1. Notify the Team Leader (Environment) and the Assistant Director Legal and Democratic Services of any actions which may place the Authority at risk of litigation or charge of maladministration. | | | |
| **Safeguarding:**  As an employee of Bury Council you have a responsibility for, and must be committed to, safeguarding and promoting the welfare of children, young people and vulnerable adults and for ensuring that they are protected from harm.  **Equality Diversity and Inclusion:**  Bury Council is committed to equality, diversity and inclusion, and expects all staff to comply with its equality related policies/procedures, and to treat others with fairness and respect.  **Health and Safety:**  The post holder is responsible for Employees Duties as specified with the Corporate and Departmental Health and Safety Policies.  Where an employee is asked to undertake duties other than those specified directly in his/her job description, such duties shall be discussed with the employee concerned who may have his/her Trade Union Representative present if so desired. (See paragraph 203 of supplemental Conditions of Service) | | | |
| **Job Description prepared by:** | **Sign:** | | **Date:** |
| **Agreed correct by Postholder:** | **Sign:** | | **Date:** |
| **Agreed correct by Supervisor/Manager:** | **Sign:** | | **Date:** |



**DEPARTMENT FOR RESOURCES AND REGULATION**

**SENIOR LAWYER – LAND & DEVELOPMENT**

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| **SHORT-LISTING CRITERIA** | **ESSENTIAL** | **DESIRABLE** |
| **Qualification** |  |  |
| Solicitor /Barrister/ FiLEX | **✓** |  |
| Experience |  |  |
| Substantial experience of land and sale agreements, including related property transactions | **✓** |  |
| Experience of Highways Law and its relationship with land and development matters | **✓** |  |
| Experience of advising on planning agreements and schemes | **✓** |  |
| Experience of advising on general matters connected with the management of a large property portfolio | **✓** |  |
| Experience of advising in Committee |  | **✓** |
| Knowledge |  |  |
| Substantial, comprehensive and current knowledge of all areas of the law relating to property and development transactions | **✓** |  |
| Knowledge of local authority governance arrangements |  | **✓** |
| Skills |  |  |
| Ability to display initiative and to take responsibility for decision making | **✓** |  |
| Ability to work as a member of a team | **✓** |  |
| Good verbal and written communication skills | **✓** |  |
| Ability to use Outlook and case management systems |  | **✓** |
| IT literate | **✓** |  |

**CRITERIA FOR INTERVIEW AND OTHER ASSESSMENT METHODS**

**The short-listing criteria listed above only.**