

ROCHDALE BOROUGH COUNCIL

JOB DESCRIPTION

Service: RESOURCES

Section: Legal Services

Location: Number One Riverside, Smith Street, Rochdale

Job Title: Legal Officer

Post Number:

Grade: Grade 7

Accountable to: Senior Legal Property Team Executive/Team Leader

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. Additional evening work is necessary, mainly related to attendance at Committees or late meetings for which time in lieu will be granted

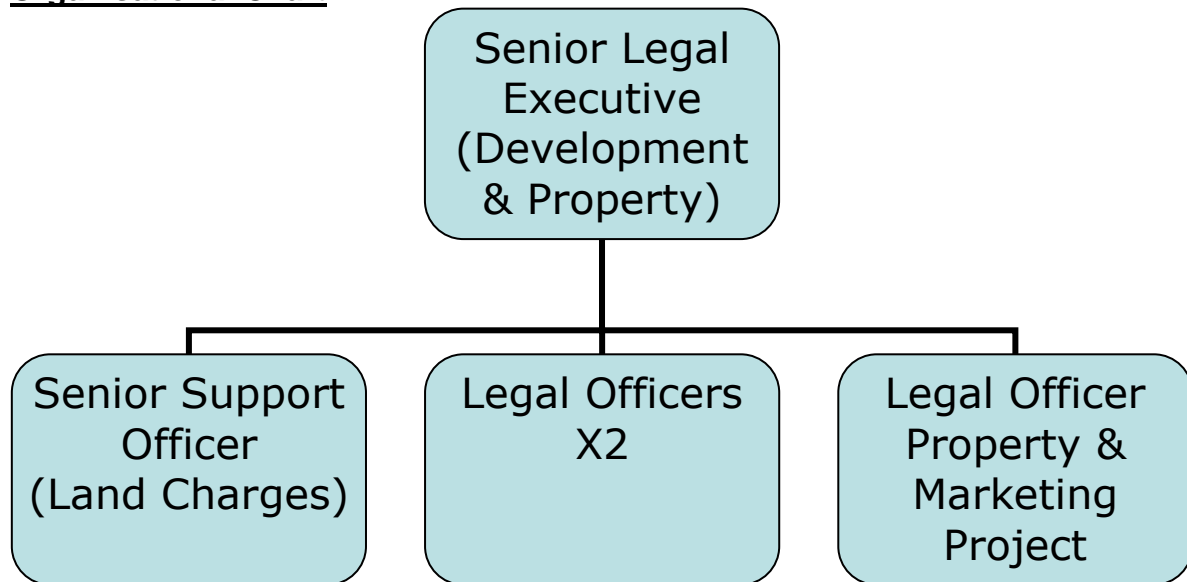
Any Special Conditions of Service: The Authority operates a Smoke Free Policy for all its employees and applies to any building and associated grounds within in the immediate vicinity of the building which is wholly owned, leased or operated and occupied by RBC

Casual Car User

The post is subject to restriction on public political activity in accordance with the provisions of Part 1 of the Local Government & Housing Act 1989

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 provide an effective, efficient, comprehensive and professional in-house legal service to the Council

To provide in-house legal support to the Council in relation to the Council's functions as Planning Authority and Highways Authority

To ensure the effective execution of the Council's legal work arising from decisions of the Council, its Committees and the day-to-day operation of its Services with particular emphasis on the Council's functions as Planning Authority and Highways Authority

To represent the Council in Committees and to undertake advocacy as appropriate

To keep up to date with all relevant legislation and codes of practice and to comply with any continuing professional development requirements

To undertake such other legal duties commensurate with grade as are assigned to the post holder by the Head of Legal or the Senior Legal Property Team Executive/Team Leader demonstrating political sensitivity at all times.

Control of Resources

To work in accordance with the financial regulations and procedures of the authority

To negotiate, maintain and arrange payment of external lawyers' fees and other related expenditure

To record time for the purposes of charging and trading account

To negotiate settlement and make any payments required including the payment of Court, witness and experts fees and any costs awarded against the Council.

Personnel

To direct and support team members as necessary providing training and supervision to less experienced officers

To be responsible for the direction, support and motivation of self.

Equipment/Materials

To be responsible for the safe use and maintenance of equipment/furniture/materials as used by the postholder.

Health/Safety/Welfare

To be responsible for the safety and welfare of self and others in accordance with the Health and Safety Policies and procedures 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
- Other staff within the Council
-
- Members of the Council

External:-

- Solicitors in Private Practice and other external advisers
-
- Court Officers
- Officers of Government Departments
- Officers in other Local Authorities and public bodies
- Members of Parliament
- Members of the Public

Responsibilities

The post holder must -

1. Perform his/her duties in accordance with Rochdale Council's 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
4. Act as a legal representative for the Council and to provide advice and guidance to elected Council Members and Officers

Values and Behaviours

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

- Proud of the difference we make
- Passionate about the diversities of the Borough
- Pioneering and Open in our approach

Be aware of and apply these behaviours at all times.

Principal Duties

1. To give advice and undertake legal work relating to the Council's powers, duties and functions including duties and functions as Local Planning Authority and as Highways Authority.
2. To prepare and to present the Council's case at public local inquiries.
3. To draft, make and serve statutory notices and orders under planning, highways and environmental legislation.
4. To prepare and conduct proceedings in and to appear as advocate on behalf of the Council in the Magistrates Court, County Court and other Courts and Tribunals, or to instruct Counsel in appropriate cases.
5. Drafting and/or approving from receipt of instructions to completion of acquisition and disposal of land and property, 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 depending on the any nature of the transaction.
6. Work in connection with mortgages to purchase, improvement loans, transfer of mortgages, redemption of mortgages, discharge of mortgages and removal of restrictions from the title and other miscellaneous transactions relating to mortgages.
7. Work in connection with all post-completion issues which may arise including advising and finding effective solutions.
8. Work in connection with 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.
9. Work in connection with the Enforced Sale Procedure and Empty Dwellings Management Orders.
10. Work in connection with Lands Tribunal cases and Leasehold Valuation Tribunal cases.

11. Work in connection with perfecting the Council's title to land and property as and whenever necessary.
12. Work in connection with academy conversions under the Academies Act 2010.
13. Work in connection with Housing Market Regeneration and/or any project/scheme from time to time requiring land and property advice
14. Work in connection with all land and property matters/transactions of both a residential and/or commercial nature and at the appropriate level.
15. Property matters arising from Community Care issues including providing advice and dealing with deferred payment agreements in accordance with the Care Act 2014.
16. Preparing briefs for Counsel to advise upon, attend Court Hearings and Public Inquiries.
17. Assisting Counsel at Hearings and Public Inquiries
18. Providing assistance to the other legal officers in Legal Services as required
19. To attend and advise at Committees and Sub-Committee (including Appeals Sub-Committees) of the Council and at other meetings with Members.
20. To attend, advise and, if required, chair any internal working groups, working parties, panels, internal disciplinary panels, multi-agency meetings and inter-authority meetings.
21. To assist in the training of other officers of the Legal Services and to assist in the training of Officers of other Departments in relation to legal work and its impact on their duties.
22. Assisting, advising and clerking School Admission Appeal Hearings.
23. Keeping up to date with relevant law and policy and advising client departments as appropriate
24. To utilise in a responsible and proper manner the Case Management system (including a computerised time recording system), all record-keeping systems, time recording and costing systems within the Legal Service
25. To be responsible for compliance with performance targets and file audit procedures.
26. To keep up to date with relevant law and policy and advise Members and Officers accordingly.
27. 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 _____

Director _____

Date _____

**Rochdale Borough Council
Person Specification**

Service :	Legal & Governance	Post:	Legal Officer
Section :	Legal	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.

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

Criteria	Essential (E) or Desirable (D)	How Identified: AF Application Form I Interview A Assessment
(a) Qualification and Experience		
1. A qualified Solicitor/Barrister/FCILEX with current Practicing Certificate	E	AF & Certificates to be produced at interview
2. Please demonstrate your evidence of Continuous Professional Development	E	AF, I
3. Please give details of your experience of undertaking planning and highways work including: <ul style="list-style-type: none"> • Advocacy including court work and planning inquiries; • Attendance and advising at Committees & Sub-Committees and other meetings with members, and at meetings with officers and others; • Drafting section 106 Town and Country Planning Act Agreements and other contracts and legal documents; • Negotiating, giving advice, persuading and influencing 	E	AF, I
4 Experience of undertaking a wide variety of land and property transactions including: <ul style="list-style-type: none"> a) an understanding of land ownership. b) ability to draft a wide variety of property related documents. c) carrying out Title investigations and producing comprehensive Reports on Title d) identifying and establishing key land issues relating to Titles and how to resolve such issues 	E	AF,I
(b) 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 provide details of your ability to work with minimal supervision	E	AF/I
7	Please give details of your organisational and time management skills.	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	D	AF
10	Previous Local Government experience in legal office.	D	AF
11	Experience of preparing Legal Packs for Auction	D	AF
11	Experience of operating a legal case management system (Civica or similar)	D	AF
12	An understanding of Local Land Charges function	D	AF
13	An understanding of the School Admission Appeals procedure	D	AF
14	Ability to learn new areas of law.	D	AF
(c) Values and Behaviours			
1.	<p>Approach the job at all times using the values set out below</p> <ul style="list-style-type: none"> • Proud of the difference we make • Passionate about the diversities of the Borough • Pioneering and Open in our approach <p>Be aware of and apply these behaviours at all times.</p>	E	AF/ I