# Hosting Proforma

Mid Ulster District Council

Name of Host

Organisation

**1. Interchange Manager’s details**

Linda Carson

Name

Organisation/

HR Manager

Department

18 Killymeal Road

Dungannon

Co Tyrone

BT716LJ

Address

Telephone Fax number

03000 132 132

Number

[linda.carson@midulstercouncil.org](mailto:linda.carson@midulstercouncil.org)

E-mail

Type of Opportunity

**Secondment**: Temporary opportunity up to 30 November 2022, with the potential for an extension

**2. Details of hosting opportunity**

Description of opportunity

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| **Purpose and Function of Post**  To be responsible to the Council, reporting via the Assistant Director (Corporate Services and Finance) and/or the Strategic Director of Corporate Services and Finance)for the provision of a comprehensive legal service, advice and advocacy in relation to an assigned caseload. The caseload will primarily be in relation to land and commercial property matters and regulatory matters but will include other matters across the Council’s wide range of functional responsibilities.  **Principal Duties**   1. To carry out professional duties as a qualified solicitor in connection with an assigned caseload primarily relating to the matters set out below. However, the list is non exhaustive. 2. To be responsible for all of the Council’s general and complex commercial property and land matters including the negotiating, drafting and settling of documents in relation to conveyances, leases and licences. 3. To advise and assist with all other commercial property and land related matters including the registration of the Council’s title and resolution of title problems, complex commercial development agreements, Section 76 planning agreement, maintenance agreements, rent reviews, lease renewals, development and maintenance of property registers, compulsory acquisition of property, funding applications, encroachment and the defence of adverse possession claims. 4. To provide accurate and timely legal advice on matters relating to the functions and exercise of the powers and duties of councils including the interpretation of legislation, leases, licences along with other agreements that Council may have entered in to with other parties and the requirements of administrative law to Officers of the Council and other bodies. To draft reports and attend before committee or Council meetings in connection with related matters as required. 5. To undertake, in accordance with the Council’s Scheme of Delegation, the initiation and defence of various litigation regarding civil and criminal matters and to appear as an advocate for the Council before civil and criminal courts, Inquiries, Tribunals etc. 6. To instigate and progress in accordance with the Council’s Scheme of Delegation, prosecutions on behalf of the Council as well as representing the Council in statutory appeals. 7. To conduct advocacy as required in Magistrates’ Court, Crown Court, County Court and High Court. 8. To advise on public law, governance and administrative duties and responsibilities of the Council. 9. To act on behalf of the Council in judicial review proceedings and statutory appeals relating to the exercise of the Council’s functions. 10. To advise and assist on other legal matters, for example: civil and criminal claims and cases, debt recovery, statutory licences and orders, planning and regulatory matters, construction, contracts, procurement law, employment law, information governance, equality, human rights and other matters as will from time to time be required (list is non-exhaustive). 11. To attend Planning Committee meetings (once a month on average), in order to provide legal advice and guidance to the Committee members and relevant officers. 12. To carry out all the foregoing duties in a proactive manner whilst complying with all relevant time limits and Rules of Court. 13. To liaise and negotiate directly with Officers of the Council and other bodies and stakeholders at all levels internally and externally, Counsel, Solicitors, Court Officials, Consultants and Experts, Government Departments, Insurers and Statutory Agencies as required. 14. To draft reports for and attend meetings and Committee and full Council meetings as required in order to provide legal advice and support. 15. To participate in the Council’s training programmes and selection and interview procedures, and to undertake continuing legal education as required. 16. To provide training on legal matters to Officers and Members of the Council and other public bodies as directed. 17. To motivate and manage staff assigned to the post-holder to ensure effective service delivery and be responsible for reviewing and implementing an effective staff training and development programme 18. To undertake the duties in such a way as to enhance and protect the reputation and public profile of the Council. 19. To carry out other duties relevant to the post as may be reasonably assigned. 20. To ensure compliance with and fulfil your responsibilities in relation to all records held as part of Council business whether paper based or electronic in accordance with the Council’s Records Management Policy and all relevant legislation. 21. To uphold and live the core values and behaviours of the organisation, maintain high standards of personal accountability, customer care and comply with the Code of Conduct for Local Government Employees and the Local Government Employees & Councillor Working Relationship Protocol. 22. Comply with the Council’s Health & Safety policy and Codes of Practice and adhere to all Equal Opportunities policies and promote a positive approach to Inclusion and Diversity within the workplace.   **Please note:** This job description is a broad picture of the post at the date of preparation. It is not an exhaustive list of all possible duties as it is recognised that jobs change and evolve over time. The post holder will be required to carry out any other duties up to and including the grade for the position offered as necessary to fulfil the purpose and function of the post.  Details of the Job Description is attached at Annex 1. |

Main objectives of the opportunity

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| The Council is on a transformation and innovation journey to help achieve its aims and objectives with the Corporate and Community Plans. The opportunity exists to join the Council at an exciting time and be part of a team that provides a comprehensive legal service in relation to an assigned caseload, which will help shape and influence the Corporate aims and objectives in a transformative and legally compliant way. |

**3. Skills requirements**

What qualities, skills and experience is required from the individual

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| **Person Specification**  **1. Qualifications and Experience**   * 1. **Qualifications**   Applicants must, as at the closing date for receipt of applications:   * Be a Barrister or Solicitor who is entitled to practise either at the Bar of Northern Ireland or as a Solicitor of the Court of Judicature of Northern Ireland.   **AND**   * 1. **Experience - Essential**   Applicants **must** as at the closing date for receipt of applications, be able to demonstrate, by providing personal and specific examples on the application form, at least **three years’** post qualification relevant experience in the following areas:   1. Advising on the interpretation of legislative provisions, good governance and administrative and public law, including representing clients in relation to public law challenges and regulatory matters; 2. Providing comprehensive legal advice and guidance to clients on all manner of complex commercial property and land transactions to protect the client’s interests. This includes advising on and drafting complex legal documents and managing the process to completion. 3. Providing comprehensive legal advice and guidance to clients on planning law related matters.    1. **Experience – Desirable**   In addition to the essential qualifications and experience required, the Council reserves the right to short-list only those applicants who can demonstrate on the application form, by providing personal and specific examples of at least two years post qualification relevant experience of:   * working on and advising in relation to; (i) local government land and property matters in accordance with the Local Government Act 1972 (and other relevant local government legislation).   Applicants must possess a full, current driving licence which enables them to drive in Northern Ireland and a vehicle available for official business, or have access to a form of transport which enables them to meet the requirements of the post in full1.  *1Please be advised that this alternative is a “reasonable adjustment” specifically for applicants with disabilities who, as a result of their disability, are unable to hold a full, current driving licence.*  **In addition to the standard pre-employment checks, this position will also be subject to receipt of a satisfactory Enhanced Access (NI) check.**  **2. Competencies**  In accordance with the Competency Framework for Local Government2 applicants for this post must demonstrate the following competencies at Operational level:  **2.1 Providing Leadership and Direction:**  Leadership – the ability to lead and motivate others to achieve their objectives and organisational goals through involvement and providing feedback and support. Provides and supports development to enable effective delivery on outcomes.  Managing Performance – sets clear, aligned and high standard performance goals and objectives for self, others and the Council in accordance with relevant business plans and the Corporate Plan and Community Plan.  **2.2 Managing Yourself**  Communicating with impact – presents a positive image by communicating effectively, being resilient, building consensus and treating people fairly.  Managing your own work – the ability to plan, structure and prioritise own work to achieve optimum results in line with the Council’s priorities.  **2.3 Working with Others**  Collaborating in a Political Environment – develops and manages effective networks by establishing common ground and avoiding actions that may adversely affect the council or its elected members.  Meeting Customer Needs – understands the needs of customers and strives to ensure that these are met.  **2.4 Moving Forward**  Problem solving and Decision Making – gathers information from a range of credible sources. Analyses and probes information to identify problems and issues with a view to overcoming obstacles and achieving results. Makes effective decisions and recommendations based on resolution agreement within an environment of trust, respect and collaboration.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    2 Further details on these competencies and their associated positive indicators can be found in *the Competency Framework for Local Government* at www.lgsc.org.uk. |

**4. Personnel: Please state below**

Who will the individual report to?

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| The postholder will report the Assistant Director (Corporate Services and Finance) |

Who will be the individual’s line manager and/or reporting officer?

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| The postholder will report the Assistant Director (Corporate Services and Finance) |

**5. Transfer of learning**

Please give details of how the Opportunity will benefit your organisation, the

individual and their organisation.

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| Mid Ulster District Council will benefit from new skills, experience and fresh thinking that the individual will bring to the role. The individual will develop a range of skills and benefit from a diverse workload and working environment, which will all contribute their own personal development. The skills and experience gained will be readily transferable to the individual’s organisation. |

**6. Logistics**

Please provide details of the likely start date, duration, location, form of transport required, resources (i.e.; desk, PC, etc.) and funding arrangements for the opportunity.

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| **Start Date**: Subject to agreement you will start work within two weeks of accepting the post  **Duration**: Temporary contract up to 30 November 2022, may have potential to be extended  **Location**: Magherafelt Council Offices (will be required to work across Mid  Ulster Council area to meet the needs of the service)  **Salary:** Scale PO5 (SCP 38 – 41) £41,881 – £44,863 gross per annum  **Closing Date:** Applications must be submitted by **Noon on Friday 25 February 2022**:[**interchangesecretariat@finance-ni.gov.uk**](mailto:interchangesecretariat@finance-ni.gov.uk) |

**7. Endorsement**

**Interchange Manager**

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| **Linda Carson** |

**Signed:**

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| **10 February 2022** |

**Date:**

**ANNEX 1**

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| **JOB DESCRIPTION** |  |
| **Job Title**: Solicitor | **Salary**: Scale PO5 (SCP 38 – 41) £41,881 –  £44,863 gross per annum |
| **Department**: Corporate Services/Finance | **Reports to**: Assistant Director (Corporate Services and Finance) |
| **Location:** Magherafelt (but may be asked to  work at other locations throughout  the district)    **Duration**: Temporary contract up to 30  November 2022, may have  potential to be extended | **Hours:** 37 hours per week, Monday – Friday  9am – 5pm (may include evening  and weekend work). |

*The council may retain a list of reserve candidates arising from this recruitment campaign, for any vacancies which may arise across the district, which are the same or similar and are of an equal grade of pay. Such a reserve list will be compiled and held for the duration of the temporary role.*

**Purpose and Function of Post**

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**Principal Duties**

1. To carry out professional duties as a qualified solicitor in connection with an assigned caseload primarily relating to the matters set out below. However, the list is non exhaustive.
2. To be responsible for all of the Council’s general and complex commercial property and land matters including the negotiating, drafting and settling of documents in relation to conveyances, leases and licences.
3. To advise and assist with all other commercial property and land related matters including the registration of the Council’s title and resolution of title problems, complex commercial development agreements, Section 76 planning agreement, maintenance agreements, rent reviews, lease renewals, development and maintenance of property registers, compulsory acquisition of property, funding applications, encroachment and the defence of adverse possession claims.
4. To provide accurate and timely legal advice on matters relating to the functions and exercise of the powers and duties of councils including the interpretation of legislation, leases, licences along with other agreements that Council may have entered in to with other parties and the requirements of administrative law to Officers of the Council and other bodies. To draft reports and attend before committee or Council meetings in connection with related matters as required.
5. To undertake, in accordance with the Council’s Scheme of Delegation, the initiation and defence of various litigation regarding civil and criminal matters and to appear as an advocate for the Council before civil and criminal courts, Inquiries, Tribunals etc.
6. To instigate and progress in accordance with the Council’s Scheme of Delegation, prosecutions on behalf of the Council as well as representing the Council in statutory appeals.
7. To conduct advocacy as required in Magistrates’ Court, Crown Court, County Court and High Court.
8. To advise on public law, governance and administrative duties and responsibilities of the Council.
9. To act on behalf of the Council in judicial review proceedings and statutory appeals relating to the exercise of the Council’s functions.
10. To advise and assist on other legal matters, for example: civil and criminal claims and cases, debt recovery, statutory licences and orders, planning and regulatory matters, construction, contracts, procurement law, employment law, information governance, equality, human rights and other matters as will from time to time be required (list is non-exhaustive).
11. To attend Planning Committee meetings (once a month on average), in order to provide legal advice and guidance to the Committee members and relevant officers.
12. To carry out all the foregoing duties in a proactive manner whilst complying with all relevant time limits and Rules of Court.
13. To liaise and negotiate directly with Officers of the Council and other bodies and stakeholders at all levels internally and externally, Counsel, Solicitors, Court Officials, Consultants and Experts, Government Departments, Insurers and Statutory Agencies as required.
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15. To participate in the Council’s training programmes and selection and interview procedures, and to undertake continuing legal education as required.
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17. To motivate and manage staff assigned to the post-holder to ensure effective service delivery and be responsible for reviewing and implementing an effective staff training and development programme
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19. To carry out other duties relevant to the post as may be reasonably assigned.
20. To ensure compliance with and fulfil your responsibilities in relation to all records held as part of Council business whether paper based or electronic in accordance with the Council’s Records Management Policy and all relevant legislation.
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**Person Specification**

**1. Qualifications and Experience**

* 1. **Qualifications**

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**AND**

* 1. **Experience - Essential**

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1. Advising on the interpretation of legislative provisions, good governance and administrative and public law, including representing clients in relation to public law challenges and regulatory matters;

2. Providing comprehensive legal advice and guidance to clients on all manner of complex commercial property and land transactions to protect the client’s interests. This includes advising on and drafting complex legal documents and managing the process to completion.

3. Providing comprehensive legal advice and guidance to clients on planning law related matters.

**1.3 Experience – Desirable**

In addition to the essential qualifications and experience required, the Council reserves the right to short-list only those applicants who can demonstrate on the application form, by providing personal and specific examples of at least two years post qualification relevant experience of:

* working on and advising in relation to; (i) local government land and property matters in accordance with the Local Government Act 1972 (and other relevant local government legislation).

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**2. Competencies**

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**Selection & Recruitment Schedule**

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| Shortlisting | w/c 07/02/2022 |
| Interviews | w/c 14/02/2022 |

These dates may be subject to change.