


Job description

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| Role title: | Legal Counsel (Code Activities) | Version number: | 1.2 |
| Reports to: | Head of Legal (Property and Governance) | Directorate: | Legal |
| GGs: | 13 | Location: | Amersham/Reading |
| Organisation structure & department profile: | The Property Lawyers in the Legal Department are responsible for supporting the estate management and implementation of property and planning strategies across the shared and unilateral networks of EE & H3G and to ensure partners & suppliers adhere to agreed guidelines when undertaking work or upgrades on the network property estate. | | |
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| | HR Partner: | Date: | |

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| Role purpose: | <p>Background to Role - The Digital Economy Act 2017 incorporated a significantly revised Electronic Communications Code (ECC). The revised ECC will result in substantial changes to business practices and processes.</p> <p>Whilst the revised ECC will not have retrospective effect upon in term agreements entered into under the 'Old Code' regime, how Operators approach renewal of leases, upgrading and sharing of their sites will change significantly following the introduction of the new Code.</p> <p>Role Purpose - The Legal Counsel (Code Activities) will assist in ensuring that site upgrade activities, lease renewals and NTQ replacements are delivered to shareholder requirements under the terms of the revised ECC.</p> <p>MBNL is innovating and optimising business processes to reflect the changes in the ECC. The role holder will be responsible for both contributing toward this process of reform, the subsequent implementation of it and improvements to it.</p> <p>The role will focus upon the effective implementation of revised ECC processes, ongoing improvements and also managing external solicitors and negotiating agents. The role holder will need to have detailed knowledge of both the Old and New Codes, the Landlord and Tenant Act 1954 and will be able to give swift, commercially balanced</p> |
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| | <p>advice to the business and its employees and agents working on acquisition and deployment projects.</p> <p>The role holder will be responsible for advising on:</p> <ul style="list-style-type: none"> - The provisions of the Digital Economy Act 2017, new ECC and Code of Practice - How those provisions interplay with the Landlord and Tenant Act 1954 - Strategies for securing occupation and rights effectively using contractual and statutory means - Additional legal support as required by the inhouse and shareholder legal teams <p>Additionally, there may be a requirement to interface with landowner representatives and keeping our shareholders fully apprised of matters of strategic merit.</p> <p>Working collaboratively across all MBNL departments, with MBNL's shareholders and Suppliers as well as those within the Property Team to help improve the management of business processes and interfaces.</p> |
| <p>Key Responsibilities & Accountabilities: (In priority order)</p> | <p>Legal Advice- Provide pragmatic, prudent and consistent advice to third parties to ensure the cost effective implementation of site occupation and upgrade rights.</p> <p>Embedding change - engaging cross-functionally, with the Property Department, shareholders and suppliers to inspire and implement process change.</p> <p>Support - Provide support to Shareholders, Suppliers and Contractors in the implementation of ECC reform and to act as an escalation point and trusted sounding board when issues are encountered.</p> <p>Continous improvement - Introduce innovation into the process that can impact results, enhance delivery and assist the organisation to meet its business objectives and goals.</p> <p>Cross functional working - Support internal and external stakeholders in Acquisition, Deployment, Property, Operations and Transmission functions.</p> |
| <p>Key Challenges: (in priority order)</p> | <p>Ensure MBNL Legal and Property Processes protect the network for the millions of customers who use it.</p> |



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| | <p>Being prepared to be a disruptive force to effect positive transformational business change. Orchastrate effective end to end processes to deliver the right outcomes.</p> <p>Giving clear, concise, decisive legal advice to the business in a timely manner.</p> <p>The Legislative changes as a result of the ECC necessitates the review and overhaul of current working practices to ensure compliance with OFCOM Code of Practice and to realise MBNL strategic aims.</p> <p>Introducing effective change through MBNL Legal and Property Processes and supplier practices.</p> <p>Eliminate avoidable delay, take ownership for delivery of one's own case load and ensure that appropriate action is taken and where necessary, escalation is taken in a timely, cost effective manner.</p> | | |
| People Management: | Line Manager? | no | |
| | Virtual (project) Manager of people? | no | |
| | Responsible for: allocation of work (task based) setting direction (objective based) performance management recruitment absence management | no | |
| | No of direct reports: | None | |
| | Overall team size (headcount): | | |
| | Other People Mgt comments: | | |
| Financial: | Budget manager | no | |
| | OPEX responsibility | £ | direct / indirect / n/a |
| | CAPEX responsibility | £ | direct / indirect / n/a |
| | P&L responsibility | £ | direct / indirect / n/a |
| Other Financial Impact comments: | | | |
| Key Relationships: (level, nature & purpose) | within own function: | | |
| | <ul style="list-style-type: none"> Regular interface with Legal Counsel, Head of Legal, General Counsel and with all levels within the Property Team; Assisting in workshops and meetings; Assisting to formulate strategic approaches; and Helping with the delivery of appropriate training. | | |
| | across other function: | | |
| | <ul style="list-style-type: none"> Working cross-functionally, particularly with colleagues in Property and Operations. | | |
| | external suppliers: | | |



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| | <p>Giving advice to and liaising with the following groups:</p> <ul style="list-style-type: none"> • Shareholder teams; • Managed Service Suppliers; • Small Works Contractors; • Estates and Treasury Management Suppliers; • External lawyers <p>external customers:</p> <ul style="list-style-type: none"> • Ensuring MBNL's Shareholder Stakeholders are appropriately engaged, consulted and informed. | | | | |
| | <p>Other key relationship comments:</p> <ul style="list-style-type: none"> • The role may also require the building of relationships outside of the business with Landlord Suppliers and other stakeholders. • Close liaison with MBNL external lawyers. | | | | |
| <p>Key MBNL behaviours</p> | <p>Shine: Be an ambassador for MBNL. Be courageous and resilient. Grow and stretch yourself, rise to the challenge</p> <p>Collaborate: Be positive. Actively seek others out and build effective relationships. Have open, honest & transparent conversations</p> <p>Deliver: Create a plan, regularly review and measure against that plan. Have a can-do attitude, learn from your experience</p> <p>Lead: Create, innovate and inspire. Challenge the norm and bring people on the journey</p> | | | | |
| <p>Critical Knowledge & Experience (non time related):</p> | <p>professional / technical</p> <p>5-10 year PQE in property law, landlord and tenant issues and or in the telecommunications sector; and</p> <p>Membership of the Law Society of England and Wales or the Bar Council.</p> <table border="1" data-bbox="491 1621 1437 2040"> <tr> <td data-bbox="491 1621 719 1827"> <p>must have:</p> </td> <td data-bbox="719 1621 1437 1827"> <ul style="list-style-type: none"> • Extensive knowledge of property law including Landlord and Tenant Act 1954; • Demonstrable experience in Business Process and Transformational Change </td> </tr> <tr> <td data-bbox="491 1827 719 2040"> <p>nice to have:</p> </td> <td data-bbox="719 1827 1437 2040"> <ul style="list-style-type: none"> • Knowledge of Code (Digital Economy Act); • Inhouse experience • Experience of business change as a result of new legislation </td> </tr> </table> | <p>must have:</p> | <ul style="list-style-type: none"> • Extensive knowledge of property law including Landlord and Tenant Act 1954; • Demonstrable experience in Business Process and Transformational Change | <p>nice to have:</p> | <ul style="list-style-type: none"> • Knowledge of Code (Digital Economy Act); • Inhouse experience • Experience of business change as a result of new legislation |
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| | business / context Have worked in an fast paced in-house legal environment. Involved in transformational change | |
| | must have: | <ul style="list-style-type: none"> • Have worked in a fast paced pressured environment to tight deadlines |
| | nice to have: | <ul style="list-style-type: none"> • Qualifications and or related experience relating to Business Process change. |
| Any other comments: | The successful candidate is likely to be able to demonstrate having worked in a transforming business sector. | |

