

WBL Logbook Sheet Template



Competency e.g. 1	Learning Outcome e.g. 1.1	Example Number
2	2.2	1

Evidence provided
e.g. letter to client dated 01.01.2017, Telephone attendance note dated 01.01.2017

Letter to opposing party's solicitors dated 22/03/2018

Explain how the example meets the learning Outcome and how the evidence shows this

Use clear language: the letter demonstrates my ability to write to an opposing party in a clear and firm manner in order to resolve outstanding areas of dispute.

Demonstrate suitable professional practice, politeness and respect: the letter was the culmination of a very drawn out and frustrating negotiation with the opposing legal team who were unwilling to stray from their initial position. I was under pressure from my client to resolve these points as they were growing increasingly exasperated, however I also had to maintain a professional working relationship with the other side. The letter is firm but polite and makes reference to reasonable commercial and legal concerns.

Tailor style: as the recipient was a chief legal officer of a local authority I made reference to government advice notes in the relevant area. As the recipient would have legal knowledge and knowledge of the surrounding commercial concerns I kept the letter succinct and did not need to provide a detailed explanation of these. I enclosed correspondence with the council's legal team rather than summarising as this was more appropriate to support my letter. As the recipient was one of the parties involved confidentiality was not an issue.

Why language was suitable: I have used technical and legal language in my letter which was appropriate for the intended recipient. I have set out my client's concerns clearly and succinctly to have the most impact. As the matter had been on-going for a long time with the parties unable to resolve the outstanding points I need to escalate this matter as my client was keen for it to be completed but also needed to maintain a working relationship for any future matters.

Reflection and evaluation

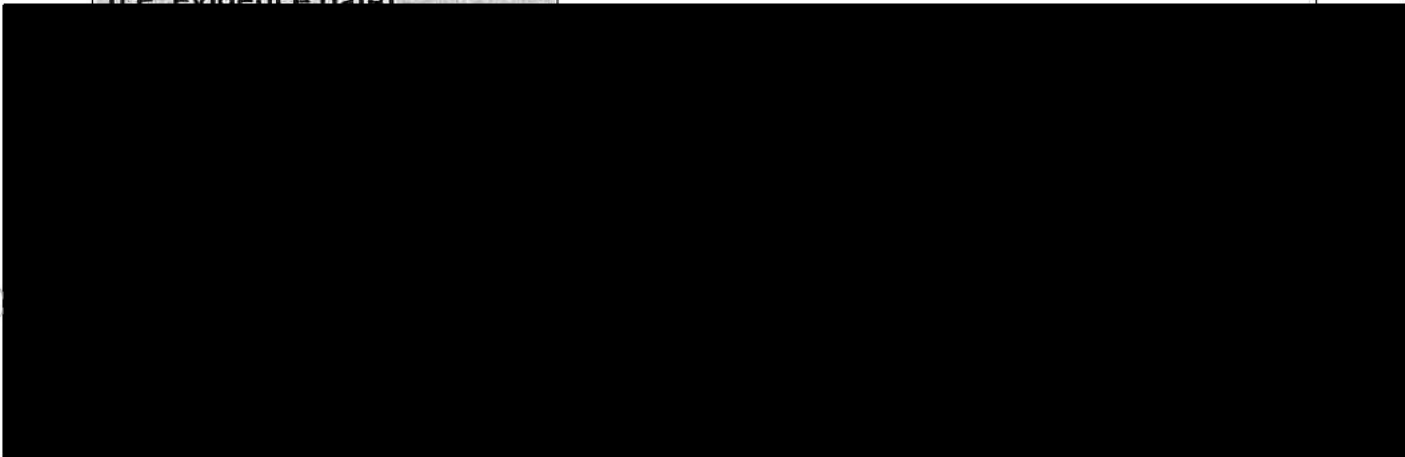
Describe what you learnt from the activity you undertook to meet the Learning Outcome. You may want to complete this section at a later date once you have had time to reflect on your practice and experience.

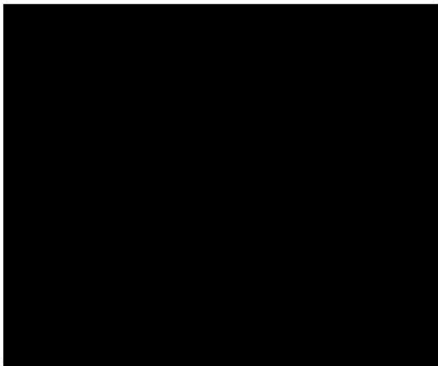


Effective communication is key to establish effective working relationships, and the ability to tailor communication to fit the needs of the recipient is essential for this. In this situation I knew that my recipient would have knowledge of the underlying matters and so enclosing the correspondence between the lawyers was appropriate – but for a party with no knowledge of the matters I would have needed to summarise and explain. Here a summary would not have been sufficient to support our complaints.

Date work completed:
(i.e. evidence date)

22/03/2018





Special Delivery

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Our reference [Redacted]
Your reference [Redacted]

22 March 2018

Dear [Redacted]

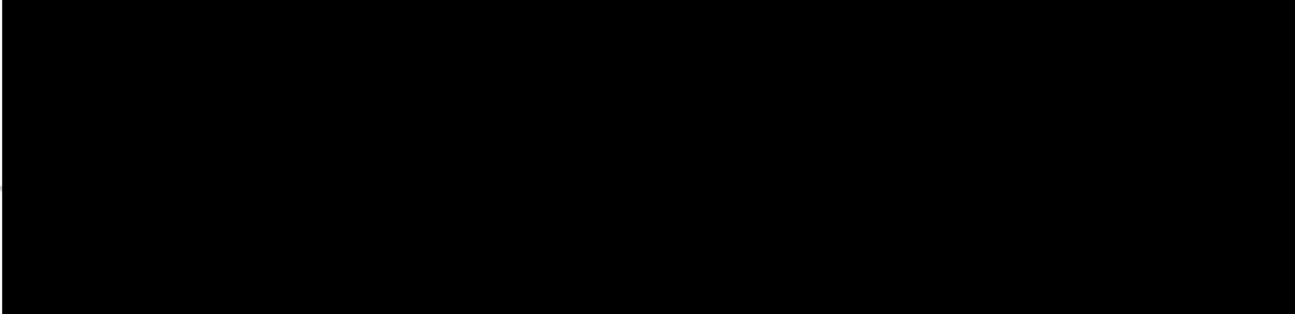
**Agreement under Section 38 Highways Act 1980 relating to land at [Redacted]
[Redacted] between (1) [Redacted] (2) [Redacted]
[Redacted] and (3) [Redacted] ('the Agreement')**

This firm is instructed on behalf of [Redacted] ('Our Client') in relation to the Agreement. Our Client holds the Property under a long lease and therefore there is to be a joint dedication of the works as public highway by Our Client and the [Redacted] ('the Freeholder').

The negotiations of the Agreement have been continuing since February 2015 and to date the parties have not been able to finalise the Agreement. The Freeholder is not happy with some of the provisions in the Agreement which require them to give joint and several covenants to [Redacted], as in their capacity as a charity they are unable to take on this liability.

I have attached copies of our correspondence with [Redacted]'s legal team to show the efforts that we have gone to in attempting to resolve the outstanding points. We had proposed an all-parties conference call in which these points could be discussed to avoid further delays and costs, a proposal which had been agreed with the Freeholder who was also willing to take part. We are of the view that [Redacted]'s legal team's approach in dealing with these negotiations and unwillingness to participate in a conference call is not in keeping with the spirit of collaboration encouraged by the Highways Adoption Advice Note issued by the Department of Transport.

The delay is resulting in substantial inconvenience to Our Client. They have also incurred significant legal fees and have to date paid [Redacted]'s legal fees of £3,000 with a further undertaking of £2,000 provided.



I would be grateful if you could investigate this matter to bring this to a conclusion that is satisfactory to all parties. I would also ask that [REDACTED] reconsider their position and either agree the amendments proposed by the Freeholder or, as an alternative, agree to participate in a conference call in order to finalise the Agreement.

I await your response as a matter of urgency.

Yours sincerely

