

Solicitor (Licensing or Prosecutions)

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Job Description

Job Title Solicitor (Litigation or Prosecutions)

Location Civic Offices, Bridge Street, Reading, RG1 2LU

Grade/Salary Range RG7 (scp 33-39) gateway at scp 36
RG8 (scp 39-42)

Service/Directorate Legal Services / Corporate Support Services

Job Purpose

1. To provide experienced skill and advice to Members and Officers on legal matters and policies and corporate issues, ensuring the Council's best interests are achieved within the law.
2. To contribute to the successful achievement of the Council's strategies and policies, in particular through advice and representation and undertake research as requested in relation to Criminal Litigation, including Licensing and Regulatory Prosecutions, such as Trading Standards, Environmental, Education etc.
3. To undertake advocacy in the relevant courts and tribunals.
4. To draft legal documents and correspondence.
5. To undertake research in the relevant areas of law.
6. To attend meetings which may take place outside of normal office hours.
7. To advise Members at committees in a proactive and politically sensitive manner
8. To assist with other matters and other members of Legal Services in duties allocated by the Head of Legal and Democratic Services or the Legal Services Manager.

Designation of Post and Position within Departmental Structure

1. Solicitor/Barrister reporting to the Assistant Director of Legal and Democratic Services. Assisting the Barrister/Solicitor responsible for Licensing and Regulatory Prosecutions.
2. Health and Safety responsibility Level 1.

Main Duties and Responsibilities

1. To provide high quality legal advice and assistance to client departments with a minimum of supervision in an efficient and friendly manner.

2. Contribute to the Council Framework by drafting policy as is required.
3. To appear on behalf of the Council to conduct hearings in the Magistrates' Court, County Court, Crown Court and Tribunals; and to prepare submissions for the High Court as is required, and instructions to Counsel and other experts where appropriate.
4. To give advice and assistance to the client departments on all aspects of Regulatory Prosecutions, which includes Licensing, Trading Standards, Environmental, Education etc. and such other areas of law as required by the Head of Legal and Democratic Services or the Legal Services Manager.
5. To attend, advise, and provide legal services to such committees and panels as required, in particular as lead advisor to the Licensing Sub-Committee and to participate fully in working groups so as to ensure that the Council is well informed and effectively represented.
6. To advise upon, draft and approve Committee Reports over a wide range, as required.
7. Advise on the development and implementation of Council policy especially new policies relating to the required area of law and the interpretation of relevant legislation and case law and for this purpose maintain an up to date knowledge of the law.
8. Keep clients informed of new legislation and case law relevant to their operations to ensure that they maintain a sound appreciation of legal requirements.
9. To comply with the Council's Equal Opportunity policy.
10. To build and maintain an effective working relationship with client departments, colleagues, elected members and any stakeholders.

Gateway progression to RG7 (above the gateway)

1. Develop and provide training to officers on Licensing and other suitable subjects in order to ensure sound knowledge and the overall ability of the Council to take well informed decisions.
2. With minimum supervision, to conduct all aspects of complex legal matters including advocacy relating to Regulatory Prosecutions, which includes Licensing, Trading Standards, Environmental, Education etc.
3. To undertake all hearings of 1 day or less.

Senior Solicitor/Barrister

Gateway progression to RG8 (below the gateway)

1. Take responsibility for dealing with the demanding substantial workload of colleagues in their absence, making use of the relevant acquired skills and abilities.
2. Provide training to Councillors on Licensing and Gambling.

Scope of Job (Budgetary/Resource Control/Impact)

1. This is a politically restricted post under the provisions of Part 1 of the Local Government and Housing Act 1989.
2. It is also exempt from the provisions of the Rehabilitation of Offenders Act 1974.

Special/Other Requirements/Responsibilities of this Post

Level of DBS check required for this post No Check Required
Basic (GCSX Only)
Standard
Enhanced without a check of the barring list(s)
*Enhanced with a check of the barring list(s)

If *, does the post require a check against the list of people barred from working with vulnerable adults? YES / NO

If *, does the post require a check against the list of people barred from working with children? YES / NO

What other security/safer recruitment clearances are required for this post? (excluding standard identity/work permit/education qualification checks) Please Specify, if none input N/A

Is this post “politically restricted”? YES

Responsibility for Health & Safety: LEVEL 1

Please specify responsibility for implementing the Council’s risk management strategy as it applies to the service, ensuring risks to service delivery and specific projects or initiatives are recognised and that actions are taken and monitored to mitigate risks identified Please Specify, if none input N/A

Please specify any other Statutory Duties and/or responsibilities of this post not already covered in the “Main Duties & Please Specify, if none input N/A

Responsibilities” above

Person Specification

Qualifications/Education/Training

1. Solicitor/Barrister with a minimum of two years post qualification experience, or equivalent.

Experience

1. Experience of advocacy in public meetings, tribunals, courts and other bodies.
2. Experience of licensing law and practice.
3. Experience of prosecution under S444 of the Education Act 1996 in respect of preparation of evidence and advising.

Skills, Abilities & Competencies

1. To assist in all legal aspects of the Council’s Licensing matters, including Liquor Licensing and Public Entertainment. To prepare casework for submission at High Court, Crown Court, County Court, Magistrates’ Court and other bodies, negotiate settlements where appropriate and conduct advocacy at the court.
2. Provide legal support and advice in other appropriate areas such as Education, Criminal and Civil Litigation and Local Government generally.
3. Attend, advise, and provide legal services to such committees and panels as required, in particular as lead advisor to the Licensing Sub-Committee and to participate fully in working groups so as to ensure that the Council is well informed and effectively represented.
4. Develop and provide training of members and of officers on Licensing and other suitable subjects in order to ensure sound knowledge and the overall ability of the Council to take-well informed decisions.
5. Present and advocate matters on the Council’s behalf in all appropriate forums eg courts, tribunals, planning inquiries or meetings.
6. Instructing Counsel and other experts, as required.
7. Advise upon, draft and approve Committee Reports over a wide range, as required.

8. Advise on the development and implementation of Council policy (especially new policies in relation to Licensing) and the interpretation of relevant legislation and case law and for this purpose maintain an up to date knowledge of the law.
9. Keep clients informed of new legislation and case law relevant to their operations to ensure that they maintain a sound appreciation of legal requirements.

Specific Working Requirements

1. Health & Safety Level 1
2. To attend meetings and court outside working hours when required.
3. This post is subject to a Standard Disclosure and Barring Service check, which will be applied for by Reading Borough Council.