

Solicitor/Legal Executive (Planning & Highways Lawyer)

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Job Description

Job Title Solicitor/Legal Executive (Planning & Highways Lawyer)

Location Civic Offices, Bridge Street, Reading RG1 2LU

Grade/Salary Range RG7/8 (scp 33-42)

Service/Directorate Corporate Legal Services - Directorate of Resources

Job Purpose

1. To provide experience, skill and advice to Members and Officers on Planning & Highways law and practice, 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 support to the Planning and Transport Departments.
3. To undertake such duties in relation to the representation of the Council as may from time to time be specifically assigned including liaison with outside bodies, external partners, solicitors and counsel.

Designation of Post and Position within Departmental Structure

1. Reporting to the Acting Principal Planning & Litigation Lawyer, you will be a Planning and Highways Lawyer in the authority's Corporate Legal Team.

Main Duties and Responsibilities

1. Giving advice and assistance to the Planning and Transport Departments, other Client Departments and Members as required on:
 - a. Section 106 Agreements;
 - b. Enforcement notices;
 - c. Planning Advice
 - d. Section 278 Agreements;
 - e. Traffic Regulation Orders;
 - f. Rights of way, footpaths and access to land; and
 - g. ancillary matters in connection or arising from paragraphs 1a. and d. above
2. Preparing, drafting and completing all necessary documentation on:
 - a. Section 106 Agreements;

- b. Enforcement Notices;
- c. Section 278 Agreements;
- d. Traffic Regulation Orders;
- e. Public Rights of Way Orders; and
- f. Stopping Up Orders,

ensuring that they comply with the Council's Contract Procedure Rules and any relevant policies and strategies, as amended from time to time.

3. Scrutiny of all new planning, highways, public footpath and traffic related legislation, statutory instruments, circulars and case law including case law, the evaluation of its effect and of new practices and procedures and practices and giving advice to officers and members consequent thereon, with particular reference to legislation etc. affecting the work of this post.
4. Personally conducting work of a major significance to the Council as identified by the Acting Principal Planning & Litigation lawyer or the Assistant Director of Legal & Democratic Services.
5. Taking part in and, where appropriate, leading projects and giving advice and guidance on points of planning and highways law and practice in a competent manner to other staff in the section and other sections of the Council.
6. Contributing to the achievement of the Council's strategies and policies by giving advice and assistance to other staff to enable them to pursue these strategies and policies successfully.
7. Ensuring adequate costs are charged for work done in those cases where Council's costs are to be borne by another party and to ensure that all costs paid by the Council are reasonable.

Gateway Progression Criteria - RG7 (scp 37-39)

- With a minimum of supervision to deal with/advise on more complex projects involving planning and highways law issues such as complex enforcement notices and planning and enforcement appeals; and complex highways agreements
- To mentor and train less experienced colleagues in the Legal Services section and work with Officers from the Planning and Transport Departments training and mentoring as directed by the Acting Principal Planning & Litigation lawyer or the Assistant Director of Legal & Democratic Services; and

- To advise on more complex areas of planning and highways law and practice.

Progression criteria to RG8 (scp 39-42)

- Proven experience in post
- Ability to assist with more complex Planning Appeals and Enforcement Appeals and undertaking preparation of more complex casework for submission to the Planning Inspectorate, instructing Counsel where required and on more straight forward appeals conducting the advocacy on these at court or in public inquiries.
- To have care and conduct, of prosecutions in planning and enforcement cases.
- Ability to co-ordinate and manage a substantial and most complex caseload with the minimum of supervision.

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 DELETE AS APPROPRIATE:

Standard

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

If *, does the post require a check against the list of people barred from working with children? 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
N/A

Is this post “politically restricted”? YES / NO

Yes

Responsibility for Health & Safety: LEVEL 1 / LEVEL 2 / LEVEL 3 (specify)

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

N/A

Please specify any other Statutory Duties and/or responsibilities of this post not already covered in the "Main Duties & Responsibilities" above

Please Specify, if none input N/A

N/A

Person Specification

Qualifications/Education/Training

A qualified solicitor or legal executive.

Experience

1. Proven experience in planning and highways law and practice.
2. Working knowledge of the following areas:
 - Section 106 Agreements;
 - Planning Enforcement;
 - Section 278 Agreements;
 - Traffic Regulation Orders;
 - Public Rights of Way Orders;
 - Footpath Orders; and
 - Stopping Up Orders.
3. Previous experience of drafting Section 106 Agreements, Section 278 Agreements Traffic Regulation Orders, Public Rights of Way Orders, Footpath Orders and Stopping Up Orders.

Skills, Abilities & Competencies

1. Ability to draft documentation accurately without constant supervision and to work on own initiative within established guidelines.
2. Up to date knowledge of the law and practice relating to highways and town and country planning and local government generally.
3. Evidence of well developed ability to organise and maintain a reasonable workload and to plan own workload with a minimum of direction.
4. Evidence of highly developed written and oral communication skills.
5. Able to liaise diplomatically and sensitively with other officers, at all levels, directors and on occasion elected members.
6. Evidence of ability to understand and assess written or verbal data and to assess situation.
7. Evidence of dependability and probity in undertaking work.

8. Ability to work to deadlines and work under pressure.
9. Demonstrate a basic understanding of principle of Contract Procedure Rules.
10. Ability to grasp and assimilate new information quickly.
11. Ability to attend courts and tribunals and advise Committee as required, offering a flexible approach with regard to working arrangements where appropriate.
12. Demonstrate a commitment to Equal Opportunities.
13. Ability to work as part of a team.

Specific Working Requirements

1. Health & Safety Level 1
2. This post is subject to a Standard Disclosure and Barring Service check, which will be applied for by Reading Borough Council.