

**JOB DESCRIPTION**

**Date issued:** 30 October 2020

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<b>Job Title:</b>	Planning and Regulatory Lawyer
<b>Service/Unit Area:</b>	Legal Services
<b>Grade:</b>	Career graded Level 1: 9 Level 2: 10 Level 3: 11
<b>Hours:</b>	Full time 37 hours
<b>Responsible to:</b>	Legal Regulatory Team Manager
<b>Responsible for:</b>	None
<b>Contacts:</b>	Day to day contact with colleagues including senior management and external clients regular reporting to and liaison with the Legal Regulatory Team Manager. Contact with members of the public, outside solicitors and officers of other authorities. Ad hoc contact with Members of the Council.

**This is a politically restricted post under the terms of the original Local Government and Housing Act of 1989, Local Government (Politically Restricted Posts) Regulations 1990, and subject to most recent amendment under the Local Government, Economic Development and Construction Act brought into effect on 12<sup>th</sup> January 2010. See the definition and application to this role at the foot of this job description.**

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**Job Summary:**

A career graded post offering the chance to develop as a local authority lawyer

To provide a cost effective and high quality Legal Service to the Council in planning and regulatory law and associated matters, to the service's agreed professional standards. To provide a cost effective and high quality legal service to the Council with a mixed caseload of planning and regulatory law matters and one or more of the other areas of legal work undertaken by the District Council. To provide legal advice on the successful delivery of the Council's asset management programme and any other relevant corporate objectives and projects.

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**Key Responsibilities:**

**1 Principal Responsibilities**

The following responsibilities are commensurate with level 1:

- To effectively carry a mixed case load with sole conduct of matters relating to planning or regulatory matters and a mix of other matters in one or more of the other areas of legal work undertaken by the District Council
- To undertake research to assist the other lawyers in the team to provide advice to the Council in the areas of planning and regulatory law specifically and local government law generally
- Timely response to legal instructions to ensure these meet agreed performance targets.
- Being the Council's lead negotiator on the legal aspects of planning related transactions.
- Drafting contracts agreements and deeds relating to all aspects of the Council's business eg planning agreements, enforcement notices, planning performance agreements, traffic orders, instructions to Counsel and reports.
- To provide high level accurate legal advice and guidance to team members, client officers and members in planning and regulatory law matters and other general matters.
- Preparation of Committee reports and attendance at Council Committees/ meetings from time to time as directed and required.
- Providing legal advice and assistance to and on behalf of the Land Charges Services as necessary.
- To periodically review all standard documents within the Planning Department and ensure that they are up to date and identify appropriate improvements in processes and procedures relevant to the section.
- To provide full, detailed and effective management information, including case updates as directed on a regular basis.
- To continue the development of performance standards and achievement of external accreditation.
- To compile, update and adhere to procedure notes and accredited practices.
- To attend client liaison meetings and corporate group meetings (eg Housing Development Group) as required.
- Responsible for ensuring that the Council's Officers and Members are appraised of changes in the law in the areas of responsibility.
- Advocacy in routine or uncontested cases in the Magistrates or County Court
- To undertake any other reasonable duty within the overall job objective as required commensurate with the grade.

Level 2 (in addition to Level 1)

Progress to level 2 will be dependant upon the ability of the postholder to carry out the following additional responsibilities

- To effectively conduct a full and varied case load of complex and sensitive planning and regulatory law matters and a mix of other matters

in one or more of the other areas of legal work undertaken by the District Council.

- To undertake research to provide advice to the Council in the areas of planning and regulatory law specifically and local government law generally
- To provide pragmatic advice across a range of local government planning work, providing appropriate solutions that are legally and constitutionally compliant
- Drafting contracts agreements and deeds relating to all aspects of the Council's business eg planning agreements, enforcement notices, planning performance agreements, traffic orders instructions to Counsel and reports including complex and substantial documentation
- Preparation of Committee reports and attendance at Council and Committee meetings from time to time as directed and required
- To supervise, (if requested from time to time) for the Legal Regulatory Team Manager in the day to day management of the service.
- To undertake any other reasonable duty within the overall job objective as required commensurate with the grade.

Level 3 (in addition to Levels 1 and 2)

Progress to level 3 will be dependant upon the ability of the postholder to carry out the following additional responsibilities

- deputising for the Legal Regulatory Team Manager and the Senior Lawyer acting as legal advisor to Committee meetings or other meetings with Officers
- deputising for the Legal Regulatory Team Manager and the Senior Lawyer acting as legal advisor to member and joint officer working groups
- advocacy in contested cases in the Magistrates or County Court or at Planning Inquiry
- To undertake any other reasonable duty within the overall job objective as required commensurate with the grade.

## **2 Staff Management**

None

## **3 Service Management**

To review and develop the services for which the postholder is responsible and manage to change, to achieve continuous improvement; to maintain agreed performance targets and to meet the requirements of value for money and the relevant performance management and inspection regimes.

To work as part of the legal services team including covering colleagues matters where required

To undertake all duties and interactions with officers, partner providers and customers fairly and with due regard to the council's policies

To work proactively to maintain and improve the relationships between officers and Members

To ensure the service meets the Council's Customer Service Standards.

To actively promote the service in order to raise the profile of the Council and demonstrate its value to residents and customers.

#### **4 Financial Responsibilities**

To work within the Council's Standing Orders including the Contracts Procurement Rules and Financial Regulations

To proactively manage budgets under your control within agreed financial limits to provide value for money in delivering services and maximise the achievement of Council policy.

To maximise recovery of court costs associated with successful prosecutions and other legal action.

#### **5 Other Responsibilities**

Adhere to the Council's values and behaviours.

To attend meetings of the Council or Committees as required

To ensure that all dealings with staff and the public are conducted within the Council's Equal Opportunities framework.

To comply with all relevant legislation to ensure effectiveness in the role.

To have regard for the duty of care of information (with particular reference to the Data Protection Act and Freedom of Information Act) gained during the course of employment that relates to other employees, the public, contractors, Elected Members etc.

Communicate effectively with a wide range of stakeholders and contacts at all levels including Members and Senior Management.

To communicate effectively with colleagues to ensure that working arrangements are efficient and work is effectively prioritised across the team.

To participate and attend external networking and training events associated with the post such as Special Interest Groups and County wide meetings of their peers.

To create and maintain authentic, timely and reliable records in relation to your duties. To take due care and attention when gathering, recording and manipulating data and to have regard to guidance issued by the Council in connection with data management.

The job holder has a personal responsibility, whilst at work, to preserve and enhance health and safety. They must familiarise themselves with the health and safety aspects of their work and avoid contact which would put at risk the health and safety of themselves and other people including visitors, contractors and members of the public.

To ensure that timesheets, work in progress sheets and other management information as required is provided to the Legal Regulatory Team Manager on a monthly basis.

Other duties and responsibilities express and implied which arise from the nature and character of the post within the department (or section) mentioned above or in comparable post in any of the organisation's other departments or sections

To undertake other duties which may arise or as may be delegated from time to time, commensurate with the skills required for this post.

To be aware of and work in accordance with the councils safeguarding policies and procedures in order to safeguard and promote the welfare of children and adults at risk, and to raise any concerns relating to such procedures which may be noted during the course of duty.

## **6 Political Restriction**

This post is subject to political restriction, which is divided into two categories and relates to the post holder duties, thus;

- Specified posts, including 'deputy chief officers' - since the post holder would be required to deputise for the Legal Regulatory Team Manager at relevant committee and sub committee meetings to make formal reports, and provide additional policy advice, this constitutes a specified post within this criteria.
- 'Sensitive' posts, which meet one of both of the following duties related criteria,
  - Giving advice on a regular basis to the authority itself, to any committee or sub committee of the authority of any joint committee on which the authority are represented, or where the authority are operating executive arrangements, to the executive of the authority; to any committee of that executive, or to any member of that executive who is a member of the authority
  - Speaking on behalf of the authority on a regular basis to journalists or broadcasters.

The post holder's role fits within the sensitive post category and is therefore prevented from having any active political role either in or outside the workplace. The postholder is automatically disqualified from standing for or holding elected office e.g. as a Local Councillor or MP (excluding standing for or holding elected office as a Parish or Town Councillor, as Parish/Town Councils are Local Authorities, but not principal authorities, and are therefore not covered). The postholder is also restricted from canvassing on behalf of a political party or candidate or speaking to the public at large or publishing any written or artistic work that appears to support a political party. It does not debar political party membership, just active participation and endorsement.

The postholder must therefore be aware that in accepting this post, they are required to confirm that they will conform with these political restrictions and that they will be included as conditions of their formal contract of employment with the authority

**Signed..... Manager**

**Date.....**

**Signed..... Employee**

**Date.....**