

ROCHDALE BOROUGH COUNCIL

JOB DESCRIPTION

SERVICE	:	Resources
SECTION	:	Legal Services
LOCATION	:	Number One Riverside, Smith Street, Rochdale OL16 1XU
JOB TITLE	:	Planning Solicitor/Lawyer
POST NUMBER	:	
Grade	:	Grade 9
Accountable to	:	Senior Legal Property Team Executive/Team Leader
Accountable for	:	None
Hours of Duty	:	37 Hours per week subject to the Council's Scheme of flexible working or the Service's Work-Life Balance Scheme. Additional evening work is necessary, mainly related to attendance at Committees or late meetings for which time in lieu will be granted
Any Special Conditions of Service		<p>The Authority operates a Smoke Free Policy for all its employees and applies to any building and associated grounds within in the immediate vicinity of the building which is wholly owned, leased or operated and occupied by Rochdale Borough Council.</p> <p>Casual Car User</p> <p>The post is subject to restriction on public political activity in accordance with the provisions of Part 1 of the Local Government & Housing Act 1989</p>

The Council is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects staff to share this commitment.

PURPOSE AND OBJECTIVES OF THE JOB

To provide an effective, efficient, comprehensive and professional in-house legal service to the Council

To provide in-house legal support to the Council in relation to the Council's functions as Planning Authority and Highways Authority

To ensure the effective execution of the Council's legal work arising from decisions of the Council, its Committees and the day-to-day operation of its Services with particular emphasis on the Council's functions as Planning Authority and Highways Authority

To represent the Council in Committees and to undertake advocacy as appropriate

To keep up to date with all relevant legislation and codes of practice and to comply with any continuing professional development requirements

To undertake such other legal duties commensurate with grade as are assigned to the post holder by the Head of Legal or the Senior Legal Property Team Executive/Team Leader demonstrating political sensitivity at all times.

Control of Resources

To work in accordance with the financial regulations and procedures of the authority

To negotiate, maintain and arrange payment of external lawyers' fees and other related expenditure

To record time for the purposes of charging and trading account

To negotiate settlement and make any payments required including the payment of Court, witness and experts fees and any costs awarded against the Council

Personnel

To direct and support team members as necessary providing training and supervision to less experienced officers

To be responsible for the direction, support and motivation of self

Equipment/Materials

To be responsible for the safe use and maintenance of equipment/furniture/materials as used by the postholder.

Health/Safety/Welfare

To be responsible for the safety and welfare of self and others in accordance with the Health and Safety Policies and procedures of the Council.

Equality and Diversity

To work in accordance with the Authority's Policy relating to the promotion of Equality and Diversity.

Training and Development

The post holder will be responsible for assisting in the identification and undertaking of his/her own training and development requirements in accordance with the Council's Performance Management Framework.

Relationships (Internal and External)

- Internal:
- All staff within Legal Services
 - Other staff within the Council
 - Officers of the Council Service Areas
 - Members of the Council
- External:
- Solicitors in Private Practice and other external advisers
 - Court Officers
 - Officers of Government Departments
 - Officers in other Local Authorities and Public Bodies
 - Members of Parliament
 - Members of the public

Responsibilities

The post holder must -

- (i) Perform his/her duties in accordance with Rochdale Council's Equality and Diversity Policy.
- (ii) Ensure that Rochdale Council's commitment to public service orientation and care of our customers is provided.
- (iii) Be responsible for the legal work they undertake
- (iv) Act as a legal representative for the Council and to provide advice and guidance to elected Council Members and Officers

Values and Behaviours

Approach the job at all times using the values set out below:

- Proud
- Passionate
- Pioneering and Open

Be aware of and apply these behaviours at all times.

Principal Duties

1. To give advice and undertake legal work relating to the Council's powers, duties and functions with particular emphasis on the Council's powers duties and functions as Local Planning Authority and as Highways Authority.
2. To prepare and to present the Council's case at public local inquiries.
3. To draft, make and serve statutory notices and orders under planning, highways and environmental legislation.

4. To prepare and conduct proceedings in and to appear as advocate on behalf of the Council in the Magistrates Court, County Court and other Courts and Tribunals, or to instruct Counsel in appropriate cases.
5. To advise on and undertake land and property legal work.
6. To attend and advise at Committees and Sub-Committee (including Appeals Sub-Committees) of the Council and at other meetings with Members.
7. To attend, advise and, if required, chair any internal working groups, working parties, panels, internal disciplinary panels, multi-agency meetings and inter-authority meetings.
8. To assist in the training of other officers of the Legal Services and to assist in the training of Officers of other Departments in relation to legal work and its impact on their duties.

Secondary Duties

1. To participate in Council programmes of in-service training as a trainee and when required as a trainer facilitator.
2. To undertake such other duties and responsibilities of an equivalent nature as may be determined from time to time by the Service Head (or nominated representative) in consultation with the postholder (and if he/she so wishes, with his/her Trade Union representative).

Job Description prepared by Julie Sherratt Date 02.02.2024
 Agreed by Postholder _____ Date _____
 Manager _____ Date _____

**Rochdale Metropolitan Borough Council
Person Specification**

Service :	Resources	Post:	Planning Solicitor/Lawyer
Section :	Legal - Development & Property Team	Post Number :	
Job Ref:		Grade:	Grade 9

Note to Applicants:

The *Essential Criteria* are the qualifications, experience, skills or knowledge you **MUST SHOW YOU HAVE** to be considered for the job.

The *How Identified* column shows how the Council will obtain the necessary information about you.

If the *How Identified* column says the **Application Form** next to an *Essential Criteria* you **MUST** include in your application enough information to show **how** you meet this criteria. You should include examples from your paid or voluntary work.

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Criteria	Essential (E) or Desirable (D)	How Identified: AF Application Form I Interview A Assessment
(a) Qualification and Experience		
1. A qualified Solicitor/Barrister/FCILEX with current Practising Certificate	E	AF & Certificates
2. Evidence of Continuous Professional Development	E	AF, I
3. Experience of undertaking planning and highways work within a local government environment including: <ul style="list-style-type: none"> • Advocacy including court work and planning inquiries; • Attendance and advising at Committees & Sub-Committees and other meetings with members, and at meetings with officers and others; • Drafting section 106 Town and Country Planning Act Agreements and other contracts and legal documents; • Negotiating, giving advice, persuading and influencing; 	E E E E	AF, I AF.I
4. Experience of chairing meetings particularly in relation to leading and advising at both internal and external meetings on such matters as corporate projects	D	AF, I
5. Experience of working for a Local Authority Legal Service	D	AF, I
6. Experience of providing training and giving presentations on legal matters to officers, Members and members of the public	D	AF, I
(b) Skills and Knowledge		
1. Ability to communicate effectively both orally and in writing giving clear, accurate and timely advice	E	AF, I
2. Willing and able to work as part of a team and to supervise the work of less experienced staff in the provision of effective services.	E	AF, I
3. Organisational & time management skills, able to work under pressure and prioritise daily/weekly workload and meet deadlines	E	AF, I
4. In-depth knowledge and post qualification experience in planning and highways law practice and procedure	E	AF, I
5. In-depth knowledge and post qualification experience in local	D	AF,I

	government law, practice and procedure		
6.	Ability to use Microsoft Office applications, case management system, online legal resources and other specialist systems	E	AF/ I
7.	Able to work unsociable hours in order to attend meetings out of normal office hours where necessary and to travel where necessary	E	AF/ I
8.	Research and analytical skills	E	AF, I
(c) Values and Behaviours			
1.	<p>Approach the job at all times using the values set out below</p> <ul style="list-style-type: none"> • Proud • Passionate • Pioneering and Open <p>Be aware of and apply these behaviours at all times.</p>	E	AF/ I