PART 2 – ARTICLES OF THE CONSTITUTION

ARTICLE 12 – FINANCIAL MANAGEMENT, CONTRACTS AND LEGAL MATTERS

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1. FINANCIAL MANAGEMENT

1.1 The administration of the Council's financial affairs will be conducted in accordance with the Financial Regulations set out in Part 4 of this Constitution.

2. CONTRACTS

2.1 Every contract made by the Council will comply with the Contract Procedure Rules set out in Part 4 of this Constitution.

3. LEGAL PROCEEDINGS

3.1 The Chief Executive or Directors in consultation with the Chairperson or Vice-Chairperson of the relevant Committee and Leader of the Council is authorised to institute or defend legal proceedings on any criminal offence or civil proceedings not otherwise provided for in the Scheme of Delegation. A report will subsequently be made to the relevant Committee. This authorisation includes responding to legal representations on behalf of the other party, any directions of the Court, and the pursuance and settlement of disputes by means other than litigation.

4. AUTHENTICATION OF DOCUMENTS

4.1 Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Director of Legal and Governance or other person authorised by them, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

4.2 Any contract shall be entered into on behalf of the authority will be in accordance with the Contract Procedure Rules set out in Part 4 of this Constitution.

5. COMMON SEAL OF THE COUNCIL

5.1 A decision of the Council, a Committee or Sub-Committee of the Council or a delegated decision by an officer will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Director of Legal and Governance should be sealed and shall be attested by either the Chief Executive or any Director who reports directly to the Chief Executive or any employed solicitor, barrister or legal executive. An entry of every sealing of a document shall be made and consecutively numbered in a book to be provided for the purpose and shall be signed by the person who has attested the seal. Such documents will include those relating to works contracts, leases, transfers and bylaws.

6. SIGNING OF DOCUMENTS

6.1 The Chief Executive or any Director who reports directly to the Chief Executive acting within their area of responsibility or any employed solicitor, barrister or legal executive are authorised to sign any contracts, notices, or other documents which are not required to be sealed by the Council.