

Constitution



Part 2: Articles of the Constitution

Article 14: Finance, Contracts and Legal Matters

14.1 Financial Management

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

14.2 Contracts

Every contract made by the Council will comply with the Financial Regulations and Contract Standing Orders set out in Part 4, Appendices 2 and 3 respectively, of this Constitution.

14.3 Legal Proceedings

The Head of Law and Regulation is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Head of Law and Regulation considers that such action is necessary to protect the Council's interests.

14.4 Authentication of Documents

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

Any contract with a value exceeding £4000 entered into on behalf of the local authority in the course of the discharge of a Cabinet function shall be made in writing in a form approved by the Head of Law and Regulation. Every contract where the amount or value exceeds £35,000 but does not exceed £75,000 shall be made in writing and signed by the Head of Law and Regulation. Every contract where the amount or value exceeds £75,000 shall be made under the seal of the Council and attested by the Head of Law and Regulation or the Chief Legal Officer or some other person authorised by the Head of Law and Regulation.

14.5 Common Seal of the Council

The Common Seal of the Council will be kept in a safe place in the custody of the Head of Law and Regulation. A decision of the Council, or of any part of it, 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 Head of Law and Standards should be sealed. The Head of Law and Regulation or Chief Legal Officer will attest the affixing of the Common Seal or some other person authorised by the Head of Law and Regulation.