

SCHEME OF DELEGATIONS

PART 2.3 OF THE CONSTITUTION

2.3.15 Head of Legal Partnership

1. The provision of advice to Councillors and Officers of the Council on all legal issues.
2. The provision of a legal service relating to the Council's functions.
3. Provision of advice to Councillors, the Council and Committees on the operation of the Constitution.
4. Dealing with the Local Government Ombudsman.
5. All Monitoring Officer duties, including maintaining the registers of Councillors and Officers interests and gifts and hospitality; granting dispensations to speak and vote at meetings as appropriate; authority to investigate (or arrange for the investigation of) Councillor misconduct; and to resolve matters informally where s/he considers appropriate after consulting the Independent Person.
6. The authorisation of Council Officers to appear on behalf of the Council in legal proceedings.
7. Obtaining information under Section 330 of the Town and Country Planning Act 1990.
8. The Head of Legal Partnership 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 Legal Partnership considers that such action is necessary or appropriate to protect the Council's interests.
9. Where any document is necessary to any legal procedure or proceedings on behalf of the Council it will be signed by the Head of Legal Partnership or other person authorised by him/her unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.
10. Contracts exceeding the value specified within the Financial Procedure Rules must be made under the common seal of the Council or the mobile seal for remote use attested by the Head of Legal Partnership or other authorised signatory, unless the Head of Legal Partnership considers that certain contracts may be signed rather than sealed.
11. The Common Seal of the Council and the mobile seal for remote use will be kept in a safe place in the custody of the Head of Legal Partnership. A decision of the Council or a Committee or Sub-Committee or Officer will be sufficient

authority for sealing any document necessary to give effect to the decision. The Common Seal or the mobile seal for remote use will be affixed to those documents which in the opinion of the Head of Legal Partnership, should be sealed. The affixing of the Common Seal or the mobile seal for remote use will be attested by the Head of Legal Partnership or any other solicitor authorised by him/her.

12. The Monitoring Officer has delegated authority to make changes to the Constitution which are necessitated by decisions taken by the Council; which remove inconsistency or ambiguity; which are minor; or to effect changes in the law.