

ARTICLE 14 – FINANCE, CONTRACT AND LEGAL MATTERS

14.1 FINANCIAL MANAGEMENT

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

14.2 CONTRACTS

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

14.3 LEGAL PROCEEDINGS

The City Solicitor 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 any part of it or in any case where the City Solicitor considers that such action is necessary to protect the Council's interests.

14.4 COMMON SEAL OF THE COUNCIL

- **Custody**

The Common Seal of the Council will be kept in a safe place in the custody of the City Solicitor.

- **Authority to Use Seal**

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 City Solicitor should be sealed. The affixing of the Common Seal will be attested by the City Solicitor or some other person authorised by him/her.

- **Attestation**

The Common Seal shall be attested by the signature of the City Solicitor, or the person authorised by him/her, and entry shall be made by the City Solicitor or some other person authorised by him/her in a book to be provided for that purpose of every deed and other document to which the Common Seal has been affixed.

14.5 SIGNATURE OF DOCUMENTS

- **Execution of Contracts for £100,000 or above**

Any contract with a value equal to or exceeding £100,000 entered into on behalf of the local authority in the course of the discharge of its functions shall be made in writing. Such contracts must either be:

1. made under the common seal of the Council attested by at least one officer;
or
2. signed by at least two officers of the authority; or
3. in the case of electronic contracts, accepted by one officer, provided that at least two officers of the authority have approved in writing the execution of the contract.

- **Persons Authorised to Approve or Sign Contracts**

The Chief Executive and the City Solicitor (and any other person or persons authorised by either of them) shall each be authorised as Agent for the Council to sign, or approve the execution of, all contracts agreed to be entered into by the Council, the Executive, or any part of it.

- **Execution of Contracts for less than £100,000**

Any contract with a value below £100,000 entered into on behalf of the local authority in the course of the discharge of its functions shall be made in writing. All Directors¹ (or other person authorised by a Director) shall be authorised in relation to matters within their remit, to sign, or in the case of electronic contracts, to accept, as Agent for the Council all contracts of a value below £100,000 agreed to be entered into by the Council, the Executive, or any part of it.

- **Authentication of Documents for Legal Proceedings**

Where any document will be a necessary step in legal proceedings on behalf of the Council, it shall be signed by the Chief Executive or the City Solicitor or other person authorised by him/her unless any enactment otherwise requires or authorises, or the Council give the necessary authority to some other person for the purpose of such proceedings

¹ In this instance the term 'Directors' is not to be understood to include the Chief Planning Officer