

# **ARTICLE 14 - FINANCE, CONTRACTS AND LEGAL MATTERS**

[Statutory References: Sections 135, 151, 222, 223 and 234 Local Government Act 1972, Part VIII Local Government Finance Act 1988.]

## **1. FINANCIAL MANAGEMENT**

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

## **2. CONTRACTS**

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

## **3. LEGAL PROCEEDINGS**

- 3.1 The Assistant Director (Legal and Governance) 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 they consider that such action is necessary to protect the Council's interests.

## **4. AUTHENTICATION OF DOCUMENTS**

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

## **5. COMMON SEAL OF THE COUNCIL**

- 5.1 The Common Seal of the Council will be kept in a safe place in the custody of the Assistant Director (Legal and Governance). 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 Assistant Director (Legal and Governance) should be sealed or in relation to the procurement of goods and services, for contracts valued at £100,000 or over. The affixing of the Common Seal will be attested by any one of the following persons: the Mayor, Chief Executive, any Directors, Assistant Directors, Legal Services Manager, or any other person duly

authorised by the Assistant Director (Legal and Governance).

- 5.2 For any contracts valued at £500,000 or over, the affixing of the Common Seal will be attested by any two of the above persons.
- 5.3 An entry of every sealing of a document shall be made and consecutively numbered in a register to be provided for the purpose and shall be signed or initialled by the person who has attested the seal.
- 5.4 The Common Seal of the Council will be kept in a safe place in the custody of the Assistant Director (Legal and Governance). 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 Assistant Director (Legal and Governance) should be sealed or in relation to the procurement of goods and services, for contracts valued at £100,000 or over. The affixing of the Common Seal will be attested by any one of the following persons: the Chief Executive, any Directors, Assistant Directors, Legal Services Manager, or any other person duly authorised by the Assistant Director (Legal and Governance).
- 5.5 For any contracts valued at £500,000 or over, the affixing of the Common Seal will be attested by any two of the above persons.
- 5.6 An entry of every sealing of a document shall be made and consecutively numbered in a register to be provided for the purpose and shall be signed or initialled by the person who has attested the seal.

## **6. ELECTRONIC SIGNING AND SEALING OF DOCUMENTS**

- 6.1 A document may be signed or sealed by electronic means, provided that the signing or sealing of the document by such means is permitted by law and the method of electronic signing or sealing to be utilised has been approved by the Assistant Director (Legal and Governance) for use in relation to the type of document concerned. The requirements of this Constitution relating to the signing and sealing of documents shall apply regardless of whether electronic or physical means of signing or sealing are used.