

ARTICLE 14 FINANCE, CONTRACTS AND LEGAL MATTERS

FINANCIAL MANAGEMENT

- 14.1 The management of the Authority's financial affairs will be conducted in accordance with the Budget and Policy Framework Rules and the Financial Rules set out in Part 4G and Part 4H of this Constitution.

CONTRACTS

- 14.2 Every contract made by the Authority will comply with the Contract Rules set out in Part 4I of this Constitution.
- 14.3 All contracts above £10,000 shall be executed as a deed and the common seal (see below) shall be affixed unless the Borough Solicitor or Head of Legal Services considers it more expedient to sign the contract. All contracts not exceeding £10,000 shall be signed by any of the Borough Solicitor, Head of Legal Services, Chief Executive, Executive Directors or Directors, unless the Borough Solicitor or Head of Legal Services requires that the contract be sealed.

LEGAL PROCEEDINGS

- 14.4 The Borough Solicitor and the Head of Legal Services is each authorised subject to 14.4 below to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Authority (Council, Cabinet, Committee, Joint Arrangements or Officer) or in any case where the Borough Solicitor or Head of Legal Services considers that such action is necessary to protect the Council's interests and he/she is satisfied as to the available evidence.
- 14.5 This authority may only be exercised within the financial limit which is authorised by the decision or is within the authorised expenditure limit of the Borough Solicitor.

AUTHENTICATION OF DOCUMENTS

- 14.6 Subject to Rule 14.3 above and Rule 14.8 below, where any document is necessary to any legal procedure or proceedings on behalf of the Authority, it will be signed by the Borough Solicitor, Head of Legal Services or Chief Executive or any other person authorised by them, unless any enactment otherwise authorises or requires or the Authority has given requisite authority to some other person.
- 14.7 A decision of a person or body in respect of a Function allocated to them under Part 3 of the Constitution will be sufficient approval for signing any document necessary to give effect to that decision.

COMMON SEAL OF THE AUTHORITY

- 14.8 The common seal of the Authority will be affixed to those documents which in the opinion of the Borough Solicitor or the Head of Legal Services should be sealed.
- 14.9 A decision of a person or body in respect of a Function allocated to them under Part 3 of the Constitution will be sufficient approval for sealing any document necessary to give effect to that decision.

- 14.10 The common seal will be kept in a safe place in the custody of the Borough Solicitor.
- 14.11 The affixing of the common seal must be attested by any of: the Borough Solicitor, the Head of Legal Services, the Chief Executive, an Executive Director, the Mayor, the Deputy Mayor.