

Part Eight – Procedures

Section Six – Legal Procedure Rules

1. The Chief Solicitor and Monitoring Officer is authorised to issue, defend, settle or participate in any:

- (a) legal proceedings; and/or
- (b) legal procedure,

where such action is necessary to give effect to decisions of the Council or in any case where the Chief Solicitor and Monitoring Officer considers that such action is necessary to protect the Council's interests.

2. Where the Council has given requisite authority to some other person to issue, defend, settle or participate in any:

- (a) legal proceedings; and/or
- (b) legal procedure,

that person shall exercise that authority subject to the approval of the Chief Solicitor and Monitoring Officer.

Signature or Authentication of Documents

3. The Chief Solicitor and Monitoring Officer or other person authorised by him or her, will sign any document necessary to any legal procedure or proceedings on behalf of the Council. This will be the case unless legislation otherwise authorises or requires someone else to sign the document or the Council has given the requisite authority to sign the document to some other person.

Common Seal of the Council

4. Some documents have to be sealed rather than signed on behalf of the Council. The Common Seal of the Council (which for the avoidance of doubt can include an electronic seal) will be kept in a safe place by the Chief Solicitor and Monitoring Officer. A decision of the Council, or any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be attached to those documents that in the opinion of the Chief Solicitor and Monitoring Officer should be sealed. The Chief Solicitor and Monitoring Officer or other lawyer, authorised by him or her, will witness the affixing of the sealing.