

3 Chief Legal Officer

3.1 The following matters are delegated to the Assistant Director of Corporate Governance for decision. Such decisions must be in accordance with the overall strategic policies set by the Council, and must in all cases be made within approved budgetary provision.

- (a) To authorise, issue, prosecute and defend any legal proceedings (including appeals and enforcement) on behalf of the Council in consultation with the Chief Executive or the appropriate officer in circumstances where the proceedings are incidental or ancillary to any power contained within the Scheme of Delegation to Officers.
- (b) To arrange for any legal proceedings to be conducted by any solicitor or barrister employed within the Corporate Governance Division including appearances before any court or tribunal in which the officer has rights of audience.
- (c) To authorise in consultation with the Head of Paid Service the payment of any award of damages, compensation and costs made by any court or tribunal against the Council.
- (d) To settle or compromise any legal proceedings on behalf of the Council in consultation with the appropriate Chief Officer including the agreement and payment or receipt of damages excluding legal costs.
- (e) To give undertakings to any court or tribunal on behalf of the Council and to give solicitor's undertakings where appropriate and within the rules and guidance issued by the Law Society.
- (f) To instruct counsel, solicitors, expert witnesses or cost assessors to act on behalf of the Council.
- (g) To issue and serve any legal notice or document necessary or ancillary or incidental to the given effect of any decision taken by Council, Cabinet, any Committee or Sub-committee or any officer under the Scheme of Delegation to Officers.
- (h) To be the Senior Responsible Officer (SRO) with regard to the Regulation of Investigatory Powers Act (RIPA) and to nominate Authorised Officers to determine ~~Regulatory and Investigatory Powers Act~~RIPA requests.
- (i) Unless there is an express statutory requirement on a named official or category of officials, any document which the Council is required or authorised by or under any enactment to be given made or issued by the Council in any capacity may be signed on behalf of the Council by the "Authorised Officer". The "Authorised Officer" is the Assistant Director of Corporate Governance or any officer authorised by the Assistant Director of Corporate Governance.

- (j) To make proper arrangements with respect to any documents that belong to, or are in the custody of, the Council or any of the Council officers and workers.

3.2 These matters are in addition to the delegations and authorisations set out in Articles 12 and 14 of the Constitution. This Section must be read in conjunction with Section D,E and F of part 3F.