

Section 5B – City Solicitor

CITY SOLICITOR

The City Solicitor is also the Council's statutory Monitoring Officer. For details of this function please refer to Section 4F of the Constitution

1. To take the opinion of counsel or instruct counsel.
2. To be responsible for the conduct of, and investigation into complaints against councillors under the arrangements approved by Council.
3. To institute and conduct any prosecution or any other legal proceedings on behalf of the council.
4. To defend any proceedings against the council and to counterclaim for damages or other relief
5. To settle claims made against the council up to a limit of £75,000, or to seek damages or other relief for any amount, and in the event of claims arising out of industrial injury to settle claims up to £250,000 and the relevant cabinet member or chair to be advised periodically of claims that have been settled. In the event of a financial settlement of termination of employment, to agree this jointly with the Director of Finance and Resources
6. To represent the council at any meeting of creditors and to take any action that may be necessary to protect the council's interests in connection with company insolvency or personal bankruptcy.
7. To secure legal advice to, or to act in appropriate cases for, employees assaulted by members of the public in the course of their duties, where criminal proceedings might be justified and the police are not taking action.
8. To consider and take action including the service, variation or withdrawal of any statutory notice.
9. Subject to the above, to complete legal agreements on behalf of the Council.
10. To undertake the council's functions under the Commons Registration Act 1965, and where applications are well founded to apportion rights of common and to amend the commons register.
11. To secure the provision of and to manage a local land charges service, and to execute the council's functions under the Local Land Charges Act 1975.
12. To attest the council's seal.
13. To appear and to authorise any other officer to appear on behalf of the council, in the magistrates court, county court, or other appropriate court or tribunal.
14. To take such steps as shall be necessary in respect of any breach of any licensing requirements.
15. To make such consequential changes to the constitution as may be required to reflect legislative changes, council decisions or where required typographical alterations in consultation with the Chair of Governance & Audit & Standards Committee.
16. To approve applications to fly flags.
17. To convene a special panel and appoint three members (in political proportionality) from the Governance & Audit & Standards Committee, as and when necessary, to deal with matters arising from a particular registration

where individuals exercise their right to make representations under the Registered Homes Act 1984.

18. To prepare and complete deeds of release in respect of covenants which are no longer applicable.