

## **Appendix ‘V’**

### **Rules and Procedures in respect of the conduct of Legal Proceedings by the Authority.**

The Borough Secretary is the Solicitor to the Council and responsible for the conduct or the arranging of the conduct of legal proceedings on its behalf.

Authority is delegated to the Borough Secretary by both the Cabinet in respect of executive functions and by the Council in respect of other functions to institute or defend civil or criminal proceedings as appropriate to protect the interests of the Council.

Any such decision is required to be taken in consultation with the Chief Executive or relevant Executive Director and upon receipt of instructions from them. Consultation is required where appropriate with the relevant Cabinet Member or Regulatory Board Chairman.

Proceedings will either be conducted in the name of the Borough Secretary by a lawyer in the Borough Secretary’s Department or the Borough Secretary will arrange for another firm of solicitors or counsel to be instructed to conduct the proceedings on their behalf.