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<b>Report To:</b>	<b>Inverclyde Council</b>	<b>Date:</b>	<b>8 October 2015</b>
<b>Report By:</b>	<b>Head of Legal &amp; Property Services</b>	<b>Report No:</b>	<b>GM/LP/140/15</b>
<b>Contact Officer:</b>	<b>Gerard Malone</b>	<b>Contact No:</b>	<b>01475 712710</b>
<b>Subject:</b>	<b>Proper Officer – Authorised Signatory</b>		

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## **1.0 PURPOSE**

- 1.1 The purpose of this report is to request that the Council appoints the Legal Services Manager, (Litigation, Licensing and Committee Services) as a Proper Officer of the Council as an Authorised Signatory.

## **2.0 SUMMARY**

- 2.1 In the Council's Scheme of Delegation to Officers, the Chief Executive and the Head of Legal & Property Services are appointed as Proper Officers of the Council with authority to sign leases, dispositions and other formal documents on behalf of the Council.
- 2.2 In order to assist with practical issues and to ensure that there are formal representatives of these Officers available to sign such formal documents, arrangements are already in place which designate the Legal Service Managers as Proper Officers who are able to sign deeds in any absence of the Chief Executive and the Head of Legal & Property Services.
- 2.3 This report requests that the Legal Services Manager, (Litigation, Licensing and Committee Services) be appointed as Proper Officer.

## **3.0 RECOMMENDATION**

- 3.1 It is recommended that the Council appoint the Legal Services Manager, (Litigation, Licensing and Committee Services) as a Proper Officer of the Council as defined by Section 235(3) of the Local Government (Scotland) Act 1973, with authority in the absence of the Head of Legal & Property Services to sign all leases, dispositions and other formal documents which require to be sealed with the Common Seal of the Council and to sign any other formal documentation such as stock certificates, bonds and mortgages.

Gerard Malone  
Head of Legal & Property Services

## 4.0 BACKGROUND

- 4.1 The Council may appoint Officers of the Council as Proper Officers, as defined by Section 235(3) of the Local Government (Scotland) Act 1973, for specified purposes. In the Scheme of Delegation to Officers the Chief Executive and the Head of Legal & Property Services are appointed as Proper Officers of the Council with authority to sign all leases, dispositions, and other formal documents which require to be sealed with the Common Seal of the Council and stock certificates, bonds and mortgages and other formal documents.
- 4.2 As a practical issue, it is of assistance to have substitute Officers available to sign such documentation in case of the absence of the Chief Executive and the Head of Legal & Property Services. The existing Legal Services Managers within Legal & Property Services are already formally authorised as Proper Officers to sign such deeds. It is proposed within this report that James Douglas, the Legal Services Manager, (Litigation, Licensing and Committee Services) be also formally appointed by the Council as Proper Officer.

## 5.0 IMPLICATIONS

### Finance

#### 5.1 Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

Annually Recurring Costs/(Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

### Legal

5.2 Nil.

### Human Resources

5.3 Nil.

### Equalities

5.4 Nil.

### Repopulation

5.5 Nil.

## 6.0 CONSULTATIONS

6.1 None.

## 7.0 BACKGROUND PAPERS

7.1 None.